

Journal *of* Proceedings

of the

Senate

of

Maryland

2015 Regular Session

Volume III

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Journal Clerk

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Secretary of the Senate

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AFTER RECESS
Annapolis, Maryland
Legislative Day: March 20, 2015
Calendar Day: Monday, March 23, 2015

At 7:59 P.M. the Senate resumed its session.

Prayer by Reverend Clare L. Petesburg, Towson Unitarian Universalist Church, guest of Senator Brochin.

On motion of Senator Pugh it was ordered that Senators Miller, DeGrange and Muse be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 507)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 465 – Howard County Senators:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Dr. Kathleen Hetherington
in recognition of
her selection as the national recipient of the
2014 Chief Executive Officer Award by the Association of Community College Trustees.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 23rd day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 508)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 12 – ~~Delegate Cluster~~ Baltimore County Delegation

AN ACT concerning

Workers' Compensation – Baltimore County Deputy Sheriff

FOR the purpose of altering a certain definition of “public safety employee” to include a deputy sheriff in Baltimore County ~~when performing certain duties~~ for purposes of providing for enhanced compensation benefits under the Workers' Compensation Law for a compensable permanent partial disability of less than a certain number of weeks under certain circumstances; providing for the application of this Act; and generally relating to workers' compensation benefits for deputy sheriffs in Baltimore County.

BY repealing and reenacting, with amendments,
 Article – Labor and Employment
 Section 9–628(a)
 Annotated Code of Maryland
 (2008 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,
 Article – Labor and Employment
 Section 9–628(h) and 9–629
 Annotated Code of Maryland
 (2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 105 – Delegates Anderson, Barron, Branch, Carr, Carter, Conaway, Cullison, Fennell, Fraser-Hidalgo, Gilchrist, Glenn, Gutierrez, Hayes, Hixson, Jackson, Kelly, Lierman, Luedtke, McCray, McIntosh, Moon, Morales, Oaks, Platt, Reznik, B. Robinson, Rosenberg, Smith, Turner, Valderrama, Vaughn, and M. Washington

AN ACT concerning

Criminal Law – Drug Paraphernalia Possession With Marijuana – Civil Offense and Marijuana – Penalties

FOR the purpose of altering the penalty for the possession or use of certain drug paraphernalia involving the use or possession of less than a certain quantity of marijuana; making the use or possession of certain drug paraphernalia under certain circumstances a civil offense; establishing that a person who violates certain provisions of this Act may be issued a certain citation; prohibiting a person from smoking marijuana in certain areas; providing penalties for smoking marijuana in

certain areas; requiring the court to summon a certain person to appear in court under certain circumstances; requiring a court to order certain persons to attend a certain program, refer the person to a certain assessment, and refer the person to a certain treatment, if necessary; authorizing a police officer to issue a certain citation under certain circumstances; establishing that a certain violation of this Act is not a criminal conviction and does not impose any of the civil disabilities that may result from a criminal conviction; establishing certain requirements for a citation issued under this Act; providing that persons who receive a certain citation may pay the civil penalty or may elect to stand trial in the District Court; requiring a civil penalty collected under this Act to be remitted to the Department of Health and Mental Hygiene; requiring the Department to use certain money for certain purposes; providing that a minor who violates certain provisions of this Act is subject to certain procedures and dispositions; prohibiting a certain citation for a violation of certain provisions of this Act from being subject to public inspection or included on a certain public Web site; authorizing a certain law enforcement officer to issue a citation to a child for a violation of a certain provision of this Act under certain circumstances; making conforming changes; and generally relating to penalties for possession of drug paraphernalia with marijuana.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–01(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–01(dd), 3–8A–33(a), and 7–302(g)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601.1, 5–619, and 5–620
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Criminal Law
Section 5–601.2
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 5–212
Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 180 – Delegates Turner, Atterbeary, Barve, Carozza, Ebersole, Hixson, C. Howard, Kaiser, Luedtke, A. Miller, Platt, A. Washington, and M. Washington

AN ACT concerning

Video Lottery Terminal Revenues – Purse Dedication Account – Standardbred Racetrack Operating Loss Assistance

FOR the purpose of ~~extending through~~ providing for certain calendar years the authorization to use certain Purse Dedication Account funds generated from video lottery proceeds for operating loss assistance by the Ocean Downs Race Course and Rosecroft Raceway to support a minimum number of live racing days at each race course; and generally relating to the use of Purse Dedication Account funds by the Ocean Downs Race Course and Rosecroft Raceway for operating loss assistance.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–27(a)(4) and 9–1A–28(a) and (e)(1)
Annotated Code of Maryland
(2014 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–28(g)(1)
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 189 – Delegates Cluster, Szeliga, Fisher, Folden, Ghrist, S. Howard, Jacobs, Krebs, W. Miller, and Ready

AN ACT concerning

Public Safety – Handgun Permit Background Investigation – Armored Car Company Employees

FOR the purpose of authorizing the Secretary of State Police to accept certain background investigations from certain armored car companies ~~in place of a certain criminal history records check performed by the Department of Public Safety and Correctional Services~~ for a certain purpose under certain circumstances; and generally relating to handgun permit background investigations.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section ~~5–305~~
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 225 – Delegates Dumais, Anderson, Angel, Atterbeary, Hettleman, Jalisi, Kittleman, McComas, Moon, Morales, Rosenberg, Smith, Valentino-Smith, Waldstreicher, ~~and B. Wilson~~ B. Wilson, and Glass

AN ACT concerning

Domestic Violence – Additional Relief

FOR the purpose of expanding the relief that may be awarded in ~~an interim protective order to include any other relief that a District Court commissioner determines is appropriate; expanding the relief that may be awarded in a temporary protective order and~~ a final protective order to include any other relief that a judge determines is appropriate to protect a person eligible for relief from abuse; and generally relating to domestic violence.

BY repealing and reenacting, without amendments,
Article – Family Law
Section ~~4–504.1(b), 4–505(a)(1), and 4–506(c)(1)~~
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section ~~4–504.1(e), 4–505(a)(2), and 4–506(d)~~
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 234 – Delegates Tarlau, Barron, Carr, Ebersole, Jalisi, Lam, Moon, Platt, S. Robinson, and Smith

AN ACT concerning

**Ethics – Executive Branch – Lobbying by Former Officials ~~and Members of the~~
General Assembly**

FOR the purpose of ~~altering the time period during which former members of the General Assembly are prohibited from assisting or representing certain parties for compensation in a matter that is subject to legislative action;~~ prohibiting certain former State officials of the Executive Branch and certain former public officials of the Executive Branch from assisting or representing certain parties for compensation, for a certain period of time, in a matter that is subject to legislative action; providing an exception to a certain employment prohibition; and generally relating to employment by ~~former members of the General Assembly and~~ former Executive Branch officials.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–504(d)
Annotated Code of Maryland
(2014 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 235 – Delegates Reznik, Smith, and Fraser–Hidalgo

AN ACT concerning

Vehicle Laws – Manufacturers and Distributors – Sale of Electric or Nonfossil–Fuel Burning Vehicles

FOR the purpose of authorizing a manufacturer or distributor to be licensed as a vehicle dealer if the manufacturer or distributor deals only in electric or nonfossil–fuel burning vehicles ~~and if, no dealer in the State holds a franchise from the manufacturer or distributor, and the manufacturer or distributor does not have a certain relationship with another manufacturer or distributor licensed as a dealer under this Act; limiting the number of licenses that may be issued under this Act; establishing that a certain license may only be issued for a dealership located in Montgomery County; requiring the Motor Vehicle Administration to adopt regulations to implement this Act; authorizing certain manufacturers or distributors who deal only in electric or nonfossil–fuel burning vehicles to operate a certain dealership located in an enclosed shopping mall notwithstanding certain factors;~~ making a conforming change; and generally relating to the sale of electric and nonfossil–fuel burning vehicles by manufacturers and distributors.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 15–302(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 15–305
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

~~BY adding to
Article – Transportation
Section 15–305.2
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)~~

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 263 – Delegates Valentino–Smith, Angel, Atterbeary, Dumais, Kelly,
McComas, and Rey**

AN ACT concerning

**Domestic Violence – Permanent Protective Orders – Conspiracy or Solicitation
to Commit Murder**

FOR the purpose of expanding the circumstances under which a court is required to issue a certain permanent final protective order to include the conviction of an individual for conspiracy or solicitation to commit murder under certain circumstances; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(k)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 283 – Delegates Carter, Dumais, Anderson, Moon, and Rosenberg

AN ACT concerning

**Award of Attorney’s Fees and Expenses – Violation of Maryland Constitutional
Right**

FOR the purpose of authorizing a court to award to a prevailing plaintiff reasonable attorney’s fees and expenses in certain actions seeking to remedy a violation of a Maryland constitutional right; authorizing a court to award reasonable attorney’s fees and expenses to a prevailing defendant under certain circumstances; ~~establishing that the limit on the liability of the State under the Maryland Tort Claims Act does not include a certain award of attorney’s fees and expenses;~~

establishing that certain limits on attorney's fees under the Maryland Tort Claims Act do not apply to a certain award of attorney's fees and expenses; providing for the application of this Act; and generally relating to awarding attorney's fees and expenses in certain actions seeking to remedy a violation of a Maryland constitutional right.

BY adding to

Article – Courts and Judicial Proceedings
Section 3–2101 and 3–2102 to be under the new subtitle “Subtitle 21. Award of Attorney’s Fees and Expenses – Violation of Maryland Constitutional Right”
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section ~~12–104(a)(2)~~ and 12–109
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 288 – Delegate Lafferty

AN ACT concerning

Vehicle Laws – Regulation of Parking – Jurisdiction

FOR the purpose of clarifying that certain State and local entities may regulate the parking of vehicles on highways over which the entity has jurisdiction; and generally relating to State and local jurisdiction over the regulation of parking.

BY repealing and reenacting, without amendments,

Article – Transportation
Section 25–105
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 26–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 292 – ~~Delegate Lafferty~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Regulation of Parking on York Road

FOR the purpose of prohibiting Baltimore County from placing or maintaining a traffic control device that regulates parking on a certain portion of York Road in the county unless the county provides to certain persons notice and an opportunity to address the issue at a public hearing; providing for the application of this Act; and generally relating to the regulation of parking on York Road in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–105
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 298 – Delegates Kaiser, Aumann, B. Barnes, Carr, Chang, Cullison, Ebersole, Fraser–Hidalgo, Frush, Ghrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hixson, Jackson, Jones, Krebs, Lafferty, Lam, Lierman, McComas, McCray, McDonough, McIntosh, Moon, Morhaim, Pendergrass, Rosenberg, Sample–Hughes, Simonaire, Sophocleus, Tarlau, Turner, Valderrama, Valentino–Smith, Waldstreicher, Walker, A. Washington, M. Washington, B. Wilson, C. Wilson, P. Young, ~~and Zucker~~ Zucker, Barron, C. Howard, Patterson, Afzali, D. Barnes, Buckel, Fennell, Hornberger, Luedtke, Metzgar, Platt, Reilly, and Shoemaker

AN ACT concerning

Education – Student Data Privacy Act of 2015

FOR the purpose of requiring certain operators of certain Internet sites, services, and applications to protect certain student information from unauthorized access, to implement and maintain certain security procedures and practices, and to delete certain student information under certain circumstances; prohibiting certain operators from engaging in certain activities with respect to certain sites, services, and applications relating to targeted advertising, selling certain student information, and disclosing certain student information under certain circumstances; providing that certain operators may use certain de–identified or aggregated student information under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to student data privacy.

BY adding to
Article – Education
Section 4–131

Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 345 – Delegates Lierman and Clippinger

AN ACT concerning

Labor and Employment – Flexible Leave – Use of Leave for Family Illness

FOR the purpose of providing that an agreement between an employer and employee to waive the employee's right to use certain leave with pay due to illness of the employee's immediate family is void; prohibiting an employer from taking certain adverse actions against an employee because the employee requested certain leave; and generally relating to leave with pay for an illness of the immediate family.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–802(d) and (f)
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 455 – Delegates Parrott, Bromwell, Cluster, Kittleman, Moon, Valentino–Smith, and B. Wilson

AN ACT concerning

Agreements to Defend or Pay the Cost of Defense – Void

FOR the purpose of providing that certain agreements to defend or pay the costs of defending certain promisees or indemnitees against liability for certain damages are against public policy and are void and unenforceable under certain circumstances; providing for the application of this Act; and generally relating to certain agreements to defend or pay the costs of defending certain promisees or indemnitees.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–401(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 505 – Delegates Kramer, Atterbeary, Barkley, Dumais, Fraser–Hidalgo, Kaiser, McComas, and Platt

AN ACT concerning

Public Safety – Law Enforcement – K-9 Law Enforcement Officers Act

FOR the purpose of requiring certain State and local law enforcement agencies to reimburse individuals who take possession of dogs formerly used in law enforcement work under certain circumstances for certain veterinary ~~expenses up to a certain amount annually~~ treatment; specifying that the reimbursement may not exceed a certain amount of money; authorizing certain State law enforcement agencies to accept public donations for the payment of certain veterinary expenses ~~to be held~~; requiring certain State law enforcement agencies to hold the donations in a separate account not subject to appropriation by the Governor; authorizing certain local law enforcement agencies to establish ~~and maintain a~~ a separate fund to accept public donations for the payment of certain veterinary expenses; providing for the application of this Act; and generally relating to dogs formerly used for law enforcement work.

BY adding to

Article – Public Safety

Section 3–507

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 524 – Delegates McMillan, Hornberger, and O’Donnell

AN ACT concerning

Vehicle Laws – Single Registration Plate – Class L (Historic) Vehicles ~~and Class N (Street Rod) Vehicles~~

FOR the purpose of requiring the Motor Vehicle Administration, when it registers ~~a certain Class L (historic) vehicle or Class N (street rod) vehicle~~ vehicles, to issue a single registration plate for the vehicle; making conforming and stylistic changes; and generally relating to vehicle registration plates.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–410(a) ~~and 13–936.1~~

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 13–936(c) and (i)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 554 – Delegate Beitzel

AN ACT concerning

Nonresident Senior Hunting License – Establishment **Natural Resources – Nonresident Senior and Junior Hunting Licenses**

FOR the purpose of establishing a nonresident senior hunting license; authorizing a nonresident ~~who owns a certain amount of land in the State~~ to purchase the license beginning in the calendar year in which the nonresident attains a certain age; establishing a certain fee for the license; altering the fee for a nonresident junior hunting license; requiring the Department of Natural Resources to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to ~~the establishment of a nonresident senior and junior hunting license licenses.~~

BY repealing and reenacting, with amendments,
 Article – Natural Resources
 Section 10–301(g)
 Annotated Code of Maryland
 (2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 571 – Delegates Hettleman, Barron, McIntosh, Jones, and Morales

AN ACT concerning

Institutions of Higher Education – Sexual Assault – Policy and Survey

FOR the purpose of requiring a certain sexual assault policy adopted by the governing board of each institution of higher education to conform with the requirements of a certain federal law; requiring a certain sexual assault policy to include a prohibition ~~of against~~ the imposition of certain ~~sanctions~~ campus conduct actions, except for a certain type of mandatory intervention, for a certain violation of the institution of higher education's ~~student conduct policy~~ alcohol and drug use policies for certain students ~~except if a certain determination is made~~ under certain circumstances, a prohibition on retaliation by the institution of higher education against a student, and a provision regarding the entering of a memorandum of understanding certain

~~formalized agreements with certain entities; requiring the Maryland Higher Education Commission, in consultation with the Department of Health and Mental Hygiene and the Governor's Office of Crime Control and Prevention institutions of higher education, to establish certain procedures for the administration of certain sexual assault campus climate surveys by certain institutions of higher education, on or before certain dates, beginning in a certain year; requiring certain institutions of higher education to use a certain survey as a model or develop a certain survey; requiring certain institutions of higher education and to administer a certain sexual assault the survey every year to certain students in accordance with certain procedures; requiring certain institutions of higher education, on or before a certain date every other year, to report school-specific results of a certain sexual assault survey submit to the Commission a certain report that includes certain information; requiring institutions of higher education to make certain efforts to protect student privacy in reporting certain data; requiring institutions of higher education to report certain data together with other reporting requirements under a certain federal law; requiring certain institutions of higher education to include school-specific survey results in a certain annual security report; requiring the Commission to report certain sexual assault campus climate survey results to the Governor and certain committees of the General Assembly on or before certain dates, beginning in a certain year; requiring the Commission to publish certain sexual assault campus climate survey results in a certain manner; and generally relating to a policy and survey relating to sexual assault and institutions of higher education.~~

BY repealing and reenacting, with amendments,
 Article – Education
 Section 11–601
 Annotated Code of Maryland
 (2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 649 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Clean Water Program – Report PG 404–15

FOR the purpose of requiring the Prince George's County Department of Environmental Resources to prepare a certain report on the county funding plan established for the Clean Water Program of Prince George's County; requiring the report to include certain information relating to the collection and use of program funds and certain recommendations concerning residential fee structures under the program; requiring the Department to submit the report to the Prince George's County Delegation by a certain date; defining a certain term; and generally relating to the Clean Water Program of Prince George's County.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 724 – Delegates Valderrama, Barkley, Clippinger, Jameson, W. Miller, and Vaughn

AN ACT concerning

Health Care Provider Malpractice Insurance – Scope of Coverage

FOR the purpose of ~~repealing a prohibition on~~ authorizing the inclusion, in a policy that insures a health care provider against damages due to medical injury arising from providing or failing to provide health care, of coverage for the defense of a health care provider in a certain disciplinary hearing only in accordance with certain requirements; ~~repealing a provision of law that authorizes a policy providing coverage for the defense of a health care provider in a certain disciplinary hearing to be offered and priced separately from a policy insuring a health care provider against damages due to medical injury~~; and generally relating to malpractice insurance coverage for health care providers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–104
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 737 – Delegates B. Wilson, Dumais, Folden, Kittleman, Shoemaker, ~~and Turner~~ Turner, and Kramer

AN ACT concerning

**Criminal Procedure – Financial Crimes Against Vulnerable and Elder Adults –
Petition to Freeze Assets**

FOR the purpose of authorizing a State’s Attorney to file a petition to freeze assets of a defendant charged with a certain financial crime involving a vulnerable or elder adult under certain circumstances; requiring that a petition to freeze assets be served in accordance with the Maryland Rules and include certain information; requiring that a petition to freeze assets be mailed to certain ~~lienholders and certain~~ financial institutions; authorizing a court to grant a petition to freeze assets and issue an order to freeze assets under certain circumstances; requiring that an order to freeze assets be served on certain financial institutions in accordance with the Maryland Rules and include certain information; providing that a financial institution is not obligated to restrict access to money described in a petition to freeze

assets until the occurrence of certain events; requiring that an order to freeze assets remain in effect for a certain period of time; authorizing the court to modify an order to freeze assets under certain circumstances; ~~specifying that a certain lienholder is not prohibited from exercising certain rights if a default occurs in the obligation giving rise to the lien~~; specifying that a certain financial institution is not prohibited from exercising certain rights; defining certain terms; and generally relating to petitions to freeze assets.

BY adding to

Article – Criminal Procedure

Section 4–206

Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 744 – Delegates Carter, Conaway, Hayes, and McCray

AN ACT concerning

Commercial Law – Consumer Protection – “Mug Shot” Web Sites

FOR the purpose of authorizing an individual to request an operator of a Web site to remove the individual’s photograph or digital image from the operator’s Web site under certain circumstances; requiring an individual to make a certain request for removal of a photograph or digital image in a certain manner; requiring an operator of a Web site to remove the photograph or digital image of an individual within a certain period of time and to send a certain written confirmation to the individual within a certain period of time, under certain circumstances; prohibiting an operator of a Web site from charging an individual for the removal of the individual’s photograph or digital image under this Act; making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions; providing for the application of this Act; and generally relating to the removal of photographs and digital images from Web sites.

BY adding to

Article – Commercial Law

Section 14–1324

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 771 – Delegates Carter, Anderson, Conaway, Glenn, McCray, Oaks, and B. Robinson

AN ACT concerning

Baltimore Police Department – Reporting on Community Policing

FOR the purpose of requiring the Police Commissioner of Baltimore City to report annually certain information concerning the Baltimore Police Department to the Mayor and City Council of Baltimore and the members of the Baltimore City Delegation to the General Assembly; requiring the report to be made available on the Department's Web site; and generally relating to the Baltimore Police Department.

BY adding to

Article – Public Safety

Section 3–510

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 786 – Delegates Davis, Adams, Arentz, Aumann, Barkley, Branch, Brooks, Carey, Fisher, Frick, Glenn, S. Howard, Impallaria, Jameson, Kramer, Lisanti, Mautz, W. Miller, Valderrama, Vaughn, and C. Wilson

AN ACT concerning

Self-Service Storage Facilities – Enforcement of Lien – Advertisement of Sale

FOR the purpose of authorizing a sale to enforce a lien on personal property stored in a leased space at a self-service storage facility to be advertised in any commercially reasonable manner specified in the rental agreement or a written change to the rental agreement; establishing that the manner of advertisement shall be deemed commercially reasonable under certain circumstances; defining a certain term; and generally relating to self-service storage facilities.

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 18–504(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 18–504(b)

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 803 – Delegates Fraser–Hidalgo, Morhaim, Carr, Cluster, Gilchrist, Gutierrez, Holmes, Korman, Lafferty, Lam, Otto, and S. Robinson

AN ACT concerning

Agriculture – Industrial Hemp – Legalization

FOR the purpose of authorizing a person to plant, grow, harvest, possess, process, sell, or buy industrial hemp in the State; requiring a person to register with the Department of Agriculture before planting or growing industrial hemp; altering the definition of “marijuana” for purposes of certain provisions of law relating to controlled dangerous substances to exclude industrial hemp; making this Act subject to a certain contingency; providing for the termination of a certain provision of this Act; defining a certain term; and generally relating to the legalization of industrial hemp in the State.

BY adding to

Article – Agriculture

Section 14–101 to be under the new title “Title 14. Industrial Hemp”

Annotated Code of Maryland

(2007 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 5–101(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–101(r)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 807 – Delegates Glass, Dumais, Vallario, Anderton, Atterbeary, Aumann, Buckel, Fisher, Ghrist, Jacobs, Kaiser, Kipke, Kittleman, Krebs, Long, McComas, McDonough, McKay, Metzgar, A. Miller, Moon, Parrott, Reilly, Rey, Simonaire, Smith, Sophocleus, and West

AN ACT concerning

Family Law – Protective Orders – Additional Relief

FOR the purpose of authorizing a judge in a final protective order to order the respondent to remain a specified distance away from the residence, place of employment, school, or temporary residence of a person eligible for relief; and generally relating to protective orders.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 846 – Delegates Vogt, K. Young, Angel, Brooks, Carozza, Folden, Frush, Jackson, Jacobs, Lam, Smith, Szeliga, A. Washington, C. Wilson, and P. Young

AN ACT concerning

**Motor Vehicle Administration – Commercial Driver’s License – Program for
Veterans and Service Members
(Troops to Trucks)**

FOR the purpose of requiring the Motor Vehicle Administration to establish a program to assist veterans and members of the military transitioning out of military service to obtain a commercial driver’s license ~~and find employment~~; requiring the Administration, as part of the program, to waive a certain skills test for certain program participants and coordinate and consult with certain entities to explore the feasibility of providing a commercial driver’s license training course on military bases in the State; ~~requiring~~ authorizing the Administration to adopt certain regulations; making a conforming change; and generally relating to commercial drivers’ licenses.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–807(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Transportation
Section 16–807.1
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 852 – Delegates Carter, Aumann, Brooks, Conaway, Glass, Glenn, Gutierrez, Haynes, Impallaria, Jacobs, Lierman, McCray, Oaks, Pena–Melnyk, Rey, B. Robinson, Shoemaker, Valentino–Smith, and M. Washington

AN ACT concerning

Human Resources – Homeless Shelters – ~~Safety and Security Measures~~ Best Practices and Models

FOR the purpose of requiring the Interagency Council on Homelessness to ~~study issues relating to the safety and security of individuals who stay in certain shelters for homeless individuals and make certain recommendations on measures to be adopted by certain shelters; requiring the Department of Human Resources to include in certain regulations certain measures to be adopted by certain shelters for homeless individuals~~ determine certain best practices and models for providing emergency shelter and shelter diversion; and generally relating to safety and security measures to be adopted by shelters for homeless individuals a determination by the Interagency Council on Homelessness of best practices and models for providing emergency shelter and shelter diversion.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 6–423 ~~and 6–424~~

Annotated Code of Maryland

(2007 Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 913 – Delegate Hixson

AN ACT concerning

Transportation – Highway User Revenues – Local Government Reporting – Revisions

FOR the purpose of repealing a requirement that Baltimore City, counties, and municipalities report certain information relating to the use of highway user revenues to the Governor and certain committees of the General Assembly on or before a certain date each year; requiring Baltimore City, counties, and municipalities to report to the State Highway Administration the costs for certain specific projects funded by highway user revenues; requiring the Administration to compile, summarize, and analyze certain information submitted by Baltimore City, counties, and municipalities relating to the use of highway user revenues in a report to be submitted by the Administration to the Governor and certain committees of the General Assembly on or before a certain date each year; prohibiting the Administration from making a disbursement of highway user revenues to a

jurisdiction that has not submitted a certain report to the Administration; and generally relating to reporting on the use of highway user revenues by local governments.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–412
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 917 – Delegates Kramer, Anderton, Barkley, Beidle, Beitzel, Bromwell, Carey, Cassilly, Cullison, Fisher, Fraser–Hidalgo, Frush, Glass, Glenn, Grammer, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Lafferty, Mautz, McConkey, O’Donnell, Oaks, Pena–Melnyk, Reilly, B. Robinson, S. Robinson, Szeliga, Valderrama, Vitale, and B. Wilson

AN ACT concerning

Motor Vehicles – Checkpoints – Prohibition on Targeting Motorcycles

FOR the purpose of prohibiting a police officer at a motor vehicle checkpoint from targeting only motorcycles for inspection or evaluation; creating a certain exception to the prohibition for a police officer at a motor vehicle checkpoint established as part of a police search or investigation; providing for the construction of a certain provision of law governing obedience to a lawful order or direction of a police officer; defining a certain term; and generally relating to inspections or evaluations at motor vehicle checkpoints.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–103
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Transportation
Section 25–114
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 934 – ~~Delegate K. Young~~ Delegates K. Young, Hettleman, Korman, B. Robinson, and Vogt

AN ACT concerning

Educational Institutions – Personal Electronic Account – Privacy Protection

FOR the purpose of prohibiting an educational institution from requiring, requesting, suggesting, or causing a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the individual's personal electronic account; prohibiting an educational institution from compelling a student, an applicant, or a prospective student, as a condition of acceptance or participation in curricular or extracurricular activities, to add certain individuals to a certain list of contacts or to change certain privacy settings; prohibiting an educational institution from taking or threatening to take certain actions against a student, or failing or refusing to admit an applicant, as a result of the student's or applicant's refusal to grant access to, allow observation of, or disclose certain information relating to a personal electronic account, add certain individuals to a certain list of contacts, or change certain privacy settings; providing that this Act may not be construed to prohibit an educational institution from requesting or requiring a student to disclose access information to certain electronic accounts, to prohibit or restrict an educational institution from viewing, accessing, or utilizing certain information that is ~~available in the public domain~~ publicly accessible or available to an educational institution as the result of certain actions of the student, to create a duty to search or monitor the activity of a personal electronic account, to make an educational institution liable for failing to request or require a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose certain information relating to a personal electronic account, to prohibit a student, an applicant, or a prospective student from allowing a certain individual to view certain communications, or to apply to a certain investigation conducted by a certain department of or in accordance with a certain policy or protocol of an institution of postsecondary education; authorizing the governing board of an institution of higher education to adopt a policy authorizing an employee to request a student to create a certain personal electronic account for a certain purpose or to request to observe certain information to fulfill a certain obligation or conduct a certain investigation or assessment; authorizing an individual who is the subject of a violation of this Act to take certain legal action; establishing that an educational institution's action in compliance with federal or State law is an affirmative defense to a claim under this Act; defining certain terms; and generally relating to the personal electronic accounts of students, applicants, and prospective students of educational institutions.

BY adding to

Article – Education

Section 26–401 to be under the new subtitle “Subtitle 4. Personal Electronic Account
Privacy Protection”

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 936 – Delegate Jones

AN ACT concerning

**Public-Private Partnership Agreements – Construction Contracts –
~~Performance~~ Security Requirements**

FOR the purpose of ~~requiring~~ clarifying the value on which requirements for the amount of the payment security and certain performance security shall be based in a public-private partnership agreement for a construction contract to include certain requirements for performance security in accordance with certain provisions of law, including a requirement to establish performance security on the value of certain construction elements; and generally relating to public-private partnership agreements for construction contracts.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 10A-401
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 939 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Arentz, Aumann, Barkley, Barron, Branch, Brooks, Carey, Clippinger, Cullison, Fisher, Frick, Glenn, Hammen, Hayes, Hill, S. Howard, Jameson, Kelly, Kipke, Kramer, Krebs, Lisanti, Mautz, McDonough, McMillan, Miele, W. Miller, Morgan, Morhaim, Oaks, Pendergrass, Reznik, Rose, Saab, Sample-Hughes, Valderrama, Vaughn, Waldstreicher, C. Wilson, and K. Young

AN ACT concerning

Proposed Regulations – Determination of Impact on Small Businesses

FOR the purpose of establishing the Advisory Council on the Impact of Regulations on Small Businesses in the Department of Business and Economic Development; providing for the purpose, composition, chair, staffing, and meetings of the Advisory Council; prohibiting a member of the Advisory Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Advisory Council to take certain actions and make certain determinations about proposed regulations; requiring the Advisory Council to submit a certain statement of its findings to the Joint Committee on Administrative, Executive, and Legislative

Review and the Department of Legislative Services within a certain period of time under certain circumstances; establishing certain duties of the staff of the Advisory Council; authorizing the Advisory Council to adopt certain guidelines; requiring the Advisory Council to submit a certain report to the Governor and the General Assembly on or before a certain date each year; requiring promulgating units to submit to the Advisory Council during a certain preliminary review period each proposed regulation and the estimated impact of the regulation on small businesses; requiring promulgating units to take certain actions if the promulgating unit estimates that a proposed regulation will have a certain significant small business impact; requiring the AELR Committee and the Department of Legislative Services to review certain findings; authorizing a member of the AELR Committee to request a hearing under certain circumstances; requiring the AELR Committee to hold a hearing under certain circumstances; authorizing the AELR Committee to request that a promulgating unit delay the adoption of a proposed regulation under certain circumstances; encouraging promulgating units to take certain actions during a certain period of time; defining certain terms; making certain conforming and stylistic changes; specifying the terms of the initial members of the Advisory Council; and generally relating to the determination of the impact of proposed regulations on small businesses.

BY adding to

Article – Economic Development

Section 3–501 through 3–508 to be under the new subtitle “Subtitle 5. Advisory Council on the Impact of Regulations on Small Businesses”

Annotated Code of Maryland

(2008 Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–101 and 10–110

Annotated Code of Maryland

(2014 Replacement Volume)

Read the first time and referred to the Committee on Finance.

House Bill 940 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Arentz, Aumann, Barkley, Branch, Brooks, Carey, Clippinger, Fisher, Frick, Glenn, S. Howard, Jameson, Kramer, Lisanti, W. Miller, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Office of the Business Ombudsman – State Customer Service and Business Development Efforts Training Program

FOR the purpose of establishing the State Customer Service and Business Development Efforts Training Program; requiring the Office of the Business Ombudsman to administer and oversee the program; specifying the purpose of the program; requiring certain agencies to participate in the program; requiring the Office to develop certain customer service standards; requiring agencies participating in the program to create a certain customer service plan, develop and conduct certain customer service trainings, establish a certain employee recognition program, and report certain information each year; requiring the Office to evaluate and make certain recommendations regarding the program; requiring the Office to include certain information in a certain annual report; and generally relating to the State Customer Service and Business Development Efforts Training Program.

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 14–203 and 14–204
Annotated Code of Maryland
(2008 Volume and 2014 Supplement)

BY adding to

Article – Economic Development
Section 14–204
Annotated Code of Maryland
(2008 Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 941 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Barkley, Branch, Brooks, Carey, Chang, Clippinger, Fisher, Frick, Glenn, Haynes, Hettleman, Jackson, Jameson, Kramer, Lisanti, Mautz, A. Miller, B. Robinson, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Task Force to Study Exemptions from Higher Education Ethics Requirements and Procurement Rules to Facilitate Technology Transfer

FOR the purpose of establishing the Task Force to Study Exemptions from Higher Education Ethics Requirements and Procurement Rules to Facilitate Technology Transfer; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to review, study, and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Exemptions from Higher

Education Ethics Requirements and Procurement Rules to Facilitate Technology Transfer.

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

House Bill 942 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, McCray, Adams, Arentz, Aumann, Barkley, D. Barnes, Branch, Brooks, Carey, Clippinger, Ebersole, Fennell, Fisher, Frick, Glenn, Hornberger, S. Howard, Impallaria, Jameson, Kaiser, Kramer, Luedtke, Lisanti, Mautz, Metzgar, W. Miller, Patterson, Platt, Reilly, Shoemaker, Simonaire, Tarlau, Valderrama, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and C. Wilson

AN ACT concerning

Apprenticeship Pilot Program – Apprenticeship Maryland

FOR the purpose of establishing an apprenticeship pilot program called Apprenticeship Maryland and identifying the purpose of the Program; providing for the duration of the Program; requiring the State Department of Education, in consultation with the Department of Labor, Licensing, and Regulation, to develop certain criteria for the selection of certain school systems for participation in the Program; requiring the State Department of Education to collaborate with certain entities to develop criteria for eligible employers; requiring the State Department of Education to select certain local school systems to participate in the Program; authorizing certain county superintendents to select a certain number of students to participate in the Program; specifying when an eligible student may start the Program; requiring a student selected to participate in the Program to complete certain work-based training, receive certain classroom instruction, and complete the Program before a certain date; requiring the Department of Labor, Licensing, and Regulation to issue a certain certificate; requiring each eligible employer to pay an eligible student a certain wage; requiring the Department of Labor, Licensing, and Regulation and the State Department of Education to submit jointly a certain report including certain information on or before certain dates; authorizing the Department and the State Department of Education jointly to adopt certain regulations; defining certain terms; providing for the termination of this Act; and generally relating to the Apprenticeship Maryland.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 11-405(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

BY adding to

Article – Labor and Employment
Section 11–603
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

House Bill 943 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Barkley, Branch, Brooks, Carey, Clippinger, Frick, Glenn, Jameson, Kramer, Lisanti, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Economic Competitiveness and Commerce – Restructuring

FOR the purpose of renaming the Department of Business and Economic Development to be the Department of Economic Competitiveness and Commerce; renaming the Secretary of Business and Economic Development to be the Secretary of Commerce; establishing an Office of the Secretary of Commerce in the Office of the Governor; specifying that the Secretary is the head of the Office and the economic development policy and implementation efforts in the State, a certain unit, and oversees monitors certain units and certain corporations; requiring the Governor to appoint the Secretary; specifying the authority and duties of the Secretary; requiring the Secretary to appoint an Executive Director; specifying the qualifications and duties of the Executive Director; specifying the duties of the Department; repealing the authority of the Department to establish a certain publications account; providing that the Maryland Economic Development Commission oversees the operations of the Department and its units and monitors the operations of the Maryland Economic Development Corporation and the Maryland Technology Development Corporation; ~~expanding the members~~ altering the membership of the Commission; expanding the duties of the Commission; ~~transferring the Maryland Life Sciences Advisory Board from the Department of Business and Economic Development to the Maryland Technology Development Corporation~~; altering the membership of the Life Sciences Advisory Board; ~~requiring the Life Sciences Advisory Board to assist the Maryland Technology Development Corporation in certain matters~~; transferring the Enterprise Fund, Invest Maryland Program, and the Maryland Venture Fund Authority from the Department of Business and Economic Development to the Maryland Technology Development Corporation; requiring the Authority to provide advice to and consult with the Maryland Technology Development Corporation concerning certain matters; requiring the Maryland Technology Development Corporation to allocate certain designated capital and perform other duties for the Program; altering the purpose of the Maryland Economic Development Corporation; requiring the Board of Directors of the Maryland Economic Development Corporation to establish a marketing advisory board composed of certain members;

requiring the marketing advisory board to establish and operate a public-private partnership marketing group to carry out certain purposes; authorizing the Board of Directors of the Maryland Economic Development Commission to retain certain consultants; establishing the Economic Development Marketing Fund as a special, nonlapsing fund; requiring the Maryland Economic Development Corporation to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; specifying that the Attorney General is the legal advisor to the Corporation for the administration of the Fund; authorizing the Corporation to retain any additional necessary lawyers for the administration of the Fund with the approval of the Attorney General; requiring a certain report of the Maryland Economic Development Corporation to include certain information; altering the purpose of the Maryland Technology Development Corporation; ~~increasing~~ altering the membership of the Board of Directors of the Maryland Technology Development Corporation; requiring the Attorney General to assign to the Maryland Technology Development Corporation certain counsel; requiring certain counsel to the Maryland Technology Development Corporation to perform certain duties; ~~establishing the Public-Private Partnership Marketing Corporation and the Board of Directors of the Corporation; providing that the Public-Private Partnership Marketing Corporation is a body politic and corporate and is an instrumentality of the State; specifying the purposes of the Public-Private Partnership Marketing Corporation; specifying the duties, membership, qualifications, terms, appointments, and removal of the members of the Board of the Public-Private Partnership Marketing Corporation; specifying the manner in electing the chair of the Board of the Public-Private Partnership Marketing Corporation; requiring the Public-Private Partnership Marketing Corporation to employ an Executive Director; specifying the duties of the Executive Director; providing that the Attorney General is the legal advisor to the Public-Private Partnership Marketing Corporation; authorizing the Public-Private Partnership Marketing Corporation to employ certain staff; specifying the laws from which the Public-Private Partnership Marketing Corporation is exempt and to which the Corporation is subject; specifying the authority of the Public-Private Partnership Marketing Corporation; requiring the Public-Private Partnership Marketing Corporation to report on certain matters to certain persons on or before a certain date each year;~~ establishing a Commerce Subcabinet; providing for the membership, duties, chair, and staffing of the Subcabinet; requiring the Subcabinet to meet each month; providing that the Department of Economic Competitiveness and Commerce is the successor of the Department of Business and Economic Development and that the Executive Director of the Department of Economic Competitiveness and Commerce is the successor of the Secretary of Business and Economic Development; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; requiring the publisher of the Annotated Code, in consultation with, and subject to the approval of, the Department of Legislative Services, to make certain corrections; altering certain definitions; defining certain terms; making certain conforming changes; and

generally relating to economic development and competitiveness and the restructuring and renaming of the Department of Business and Economic Development.

BY renumbering

Article – Economic Development

Section 2–117 through 2–123, respectively; ~~and~~ 2–201 through 2–207, respectively, and the subtitle “Subtitle 2. Maryland Economic Development Commission”; 6–502, 6–503, 6–509, 6–510, 6–515, 6–516, 6–524, and 6–525, respectively to be Section 2.5–104 through 2.5–110, respectively; ~~and~~ 2.5–201 through 2.5–207, respectively, and the subtitle “Subtitle 2. Maryland Economic Development Commission”; and 10–472, 10–473, 10–479, 10–480, 10–485, 10–486, 10–494, and 10–495, respectively

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 1–101(a) and 2–104 through 2–107, 2–109 through 2–111, 2–113, 2–115, 2–116, 3–202, 3–204, 3–205, 6–505 through 6–507, 6–520, 6–523, 9–101(a), 10–101(a), (b), and (d), 10–104(a), 10–401, 10–404, and 10–406 through 10–415

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 1–101(c) and (f) to be under the amended division “Division I. Secretary of Commerce and Department of Economic Competitiveness and Commerce”; 2–102, 2–103, 2–108, 2–112, and 2–114 to be under the amended title “Title 2. Secretary of Commerce” and the amended subtitle “Subtitle 1. Office of the Secretary”; ~~3–201 through 3–204, 3–203, 5–601 through 5–603, 6–501, 6–504, 6–508 through 6–508, 6–511 through 6–514, 6–517 through 6–519, 6–521, 6–522 6–523, 6–526 through 6–529, 9–101(c) and (e), 10–104(b) and (c), 10–110, 10–115, 10–132, 10–402, and 10–403, and 10–405~~

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)

BY repealing

Article – Economic Development

Section 2–101 and 2.5–109; the subtitle designation “Subtitle 6. Enterprise Fund” immediately preceding Section 5–601; and the subtitle designation “Subtitle 5. Invest Maryland Program” immediately preceding Section 6–501

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)

BY adding to

Article – Economic Development

~~Section 2–101, and 10–901 through 10–911 to be under the new subtitle “Subtitle 9. Public-Private Partnership Marketing Corporation”, 10–109.1, 10–114.1, 10–117.1; and the new part “Part VII. Enterprise Fund and Invest Maryland Program” immediately preceding Section 10–468~~

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)

BY adding to

Article – Economic Development

Section 2.5–101, 2.5–102, and 2.5–103 to be under the new title “Title 2.5. Department of Economic Competitiveness and Commerce”

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 2.5–105, 2.5–107, ~~2.5–108, 2.5–109~~, 2.5–201, 2.5–205, and 2.5–207

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 2.5–104, 2.5–106, ~~2.5–108~~, 2.5–110, 2.5–202, 2.5–203, 2.5–204, and 2.5–206

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)
(As enacted by Section 1 of this Act)

BY repealing

Article – Economic Development

Section 2.5–109

Annotated Code of Maryland
(2008 Volume and 2014 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)81. and 82.

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)83.

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–201(a)

Annotated Code of Maryland

(2014 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–201(b)(4)

Annotated Code of Maryland

(2014 Replacement Volume)

BY adding to

Article – State Government

Section 9–3101 through 9–3104 to be under the new subtitle “Subtitle 31. Commerce
Subcabinet”

Annotated Code of Maryland

(2014 Replacement Volume)

Read the first time and referred to the Committee on Finance.

House Bill 1009 – Delegates Smith, Luedtke, Moon, Morales, Platt, and Tarlau

AN ACT concerning

**Criminal Procedure – Immunity – Alcohol- or Drug-Related Medical
Emergencies**

FOR the purpose of establishing that the act of seeking assistance by a person who experiences a medical emergency after ingesting or using alcohol or drugs may be used as a mitigating factor in a criminal prosecution of the person; altering a certain provision providing certain immunity to a person who seeks, provides, or assists with the provision of certain medical assistance by providing the immunity from a criminal arrest, charge, or prosecution and providing immunity when a person is reasonably believed to be experiencing a medical emergency rather than when the person is experiencing a medical emergency; altering a certain provision providing certain immunity to a person who seeks certain medical assistance by providing immunity from a criminal arrest, charge, or prosecution and providing immunity when the person reasonably believes that the person is experiencing a medical

emergency rather than when the person is experiencing a medical emergency; extending the applicability of certain immunity provisions to certain drug paraphernalia offenses and certain persons who receive certain medical assistance; prohibiting a person who seeks, provides, or assists with the provision of certain medical assistance from being sanctioned for a violation of a condition of pretrial release, probation, or parole under certain circumstances; ~~prohibiting a person who seeks, provides, or assists with the provision of certain medical assistance from being detained or prosecuted in connection with an outstanding warrant under certain circumstances~~; clarifying certain language; and generally relating to immunity and alcohol- or drug-related medical emergencies.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 1–210
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1074 – Delegates Kipke, Adams, Afzali, Anderton, Angel, Arentz, Bromwell, Carey, Carozza, Cassilly, Cluster, Hornberger, Jacobs, Kittleman, Krebs, Mautz, McComas, McDonough, McKay, McMillan, Metzgar, W. Miller, O'Donnell, Parrott, Reilly, Shoemaker, Szeliga, and B. Wilson

AN ACT concerning

Complimentary Hunting License for Former Prisoners of War or Disabled Veterans – Reciprocity

FOR the purpose of authorizing the Department of Natural Resources to issue a lifetime complimentary hunter's license to an out-of-state person who certifies that the person is a former prisoner of war or a 100% service connected disabled American veteran if the person's state of residence extends similar privileges to former prisoners of war or 100% service connected disabled American veterans of this State; and generally relating to reciprocity for complimentary hunting licenses for former prisoners or war or disabled veterans.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–303
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1110 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Law Enforcement – Special Police Officers

FOR the purpose of altering the minimum age of eligibility for a special police officer commission; authorizing the Secretary of State Police to require a certain manner and format for an application for a commission; providing that a certain application fee is nonrefundable if a certain application is granted; requiring the Secretary to apply for a certain state and national criminal history records check under certain circumstances; requiring the Criminal Justice Information System Central Repository to provide a certain receipt to a certain applicant; requiring the Central Repository to forward to a certain applicant and the Secretary a printed statement of the applicant's criminal history information; providing that certain information obtained from the Central Repository is confidential and may only be used for certain purposes; requiring the Central Repository to provide to the Department of State Police Licensing Division a revised printed statement of a certain person's state criminal history record under certain circumstances; requiring a special police officer to wear a uniform that gives a certain notice; authorizing the Department of State Police to approve certain vehicles and equipment for use by certain special police officers; requiring the return of a certain certification card to the Secretary within a certain time period under certain circumstances; altering the expiration date of the initial commission of a special police officer; authorizing the Governor to delegate the power to suspend a commission to the Secretary; authorizing the Secretary to suspend a commission under certain circumstances; requiring a review of certain suspensions by the Governor or his designee; defining certain terms; making stylistic and conforming changes; and generally relating to special police officers.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–301, 3–303, 3–304, 3–305, 3–310, 3–312, and 3–313

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3–302 and 3–316

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1114 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

State Lottery and Gaming Control Agency – Raffles – Authorized

FOR the purpose of altering the definition of “State lottery” to include a raffle conducted by the State Lottery and Gaming Control Agency; authorizing the Director of the State Lottery and Gaming Control Agency to enter into agreements to operate raffles with certain entities outside the State; and generally relating to the authority of the State Lottery and Gaming Control Agency to operate or enter into agreements to operate raffles.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–101 and 9–111(b)
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 1115 – Chair, Ways and Means Committee (By Request – Departmental
– Lottery and Gaming Control Agency)**

AN ACT concerning

Gaming – Video Lottery Employee – Temporary License

FOR the purpose of authorizing the State Lottery and Gaming Control Commission to issue a temporary video lottery employee license to an applicant for a video lottery employee license under certain circumstances; requiring that the applicant make certain acknowledgements in writing; providing that the temporary license may not be issued to certain applicants; providing that the temporary license expires after a certain number of days; authorizing the Commission to extend the temporary license for a certain number of days; authorizing the Commission to terminate the temporary license without a hearing under certain circumstances; requiring an applicant to surrender a certain temporary license identification and cease certain work if the application for a certain license is denied; and generally relating to the issuance of video lottery employee licenses.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–14(a)
Annotated Code of Maryland
(2014 Replacement Volume)

BY adding to
Article – State Government
Section 9–1A–14(d)

Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1160 – Delegate Luedtke

AN ACT concerning

State Racing Commission – Employees of Licensees – Repeal of Citizenship Requirement

FOR the purpose of repealing certain provisions of law that require a certain percentage of individuals employed by a person licensed by the State Racing Commission to hold a race meeting to be citizens of the United States who have maintained a certain residency; and generally relating to horse racing and a citizenship requirement for employees of licensees of the State Racing Commission.

BY repealing

Article – Business Regulation
Section 11–320
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1176 – Delegates Knotts and Luedtke

AN ACT concerning

Harness Racing – Purses – Deductions Paid to an Organization

FOR the purpose of ~~requiring that~~ authorizing a certain organization representing certain standardbred owners and trainers to set deduct a certain amount ~~to be deducted~~ from certain purses ~~and paid to a certain organization~~ to be used for its operations under certain circumstances; requiring a certain organization to obtain State Racing Commission approval prior to making certain expenditures; providing that certain expenditures may not be considered eligible expenditures; requiring a certain organization to submit certain financial statements to the State Racing Commission; defining a certain term; and generally relating to standardbred racing purses.

BY adding to

Article – Business Regulation
Section 11–607
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1188 – Chair, Judiciary Committee (By Request – Departmental – General Services)

AN ACT concerning

Maryland Capitol Police of the Department of General Services

FOR the purpose of altering the definition of “police officer” and “law enforcement officer” under certain provisions of law; clarifying that the terms “police officer” and “law enforcement officer” include members of the Maryland Capitol Police of the Department of General Services; clarifying the description of the geographic area around certain multiservice centers over which the Department of General Services has police jurisdiction; specifying that the police and security force established by the Secretary of General Services is the Maryland Capitol Police of the Department of General Services; altering the circumstances under which a member of a certain police and security force may be transferred from one facility to another facility; providing for the application of certain provisions of law; and generally relating to the Maryland Capitol Police of the Department of General Services.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–101(c)(9)
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–213.2(a)(8)(ix) and (x)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY adding to
Article – Health – General
Section 18–213.2(a)(8)(xi)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(1)(ii)16. and 3–201(e)(1)(ii)11.
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement

Section 4–601 and 4–605
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–201(a)(10) and (b)(9)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205.1(i)(3)(i)12.
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1244 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Education and Workforce Training Coordinating Council for Correctional
Institutions – Name Change**

FOR the purpose of changing the name of the Education and Workforce Training Coordinating Council for Correctional Institutions to the Correctional Education Council; and generally relating to changing the name of the Education and Workforce Training Coordinating Council for Correctional Institutions.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–901(a), 11–902(a), and 11–906(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 44 – Delegate Luedtke

AN ACT concerning

~~Special Education – Translations of Individualized Education Programs or
Individualized Family Service Plans – Native Language~~
Special Education – IEP Translation Pilot Program – Establishment

FOR the purpose of establishing the IEP Translation Pilot Program in Montgomery County; authorizing the parents of a child with a disability to request the translation into their native language of a completed individualized education program or a completed individualized family service plan; requiring certain school personnel to provide the parents with a certain translation of a completed individualized education program or a completed individualized family service plan within a certain time frame; defining certain terms; requiring a certain local school system to provide a certain parent with a certain verbal and written notice of the parent's right to request certain documents to be translated into the parent's native language at certain times throughout a certain process; providing for the application of this Act; providing for the termination of this Act; and generally relating to individualized education programs and ~~individualized family service plans~~ the IEP Translation Pilot Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–405
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 45 – Delegates Morhaim, Hill, Jalisi, ~~and Lam~~ Lam, Cullison, Kelly, Pena–Melnyk, and Pendergrass

AN ACT concerning

General Provisions – Commemorative Days – National Healthcare Decisions Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as National Healthcare Decisions Day; and generally relating to National Healthcare Decisions Day.

BY renumbering
Article – General Provisions
Section 7–404 through 7–413, respectively
to be Section 7–405 through 7–414, respectively
Annotated Code of Maryland
(2014 Volume)

BY adding to
Article – General Provisions
Section 7–404
Annotated Code of Maryland
(2014 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 127 – Delegate Krebs

AN ACT concerning

State Board of Morticians and Funeral Directors – Alteration of Dates for Termination Provisions and Sunset Program Evaluation

FOR the purpose of altering the date of the termination provisions relating to the statutory and regulatory authority of the State Board of Morticians and Funeral Directors; altering the date of the requirement that a certain evaluation of the Board and the statutes and regulations that relate to the Board be performed by the Department of Legislative Services; and generally relating to the State Board of Morticians and Funeral Directors and the alteration of dates for termination provisions and the Sunset Evaluation Program.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 7–702

Annotated Code of Maryland

(2014 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–405(b)(2)

Annotated Code of Maryland

(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 209 – ~~Delegate Turner~~ Howard County Delegation

AN ACT concerning

Howard County – Room Rental Tax – Room Rental Fee

Ho. Co. 12–15

FOR the purpose of clarifying that the Howard County room rental tax applies to the total charge for the rental of a room, including any room rental fee charged by a room rental intermediary but not including any tax; defining certain terms; and generally relating to the Howard County room rental tax.

BY repealing and reenacting, with amendments,
The Public Local Laws of Howard County
Section 20.400
Article 14 – Public Local Laws of Maryland
(1977 Edition and August 2008 Supplement, as amended)
(As enacted by Chapter 139 of the Acts of the General Assembly of 2011 and Chapter
510 of the Acts of the General Assembly of 2013)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 216 – Delegates Morhaim, Carr, Chang, Ebersole, Fraser-Hidalgo,
Frush, Krimm, Lafferty, Lam, McComas, ~~and K. Young~~ K. Young, Angel,
Hettleman, Hill, C. Howard, Luedtke, Platt, and Smith**

AN ACT concerning

**Environment – Personal Care Products Containing Synthetic Plastic
Microbeads – Prohibition on Manufacturing or Sale**

FOR the purpose of prohibiting a person from manufacturing for sale or accepting for sale
a personal care product or an over-the-counter drug that contains synthetic plastic
microbeads on or after certain dates; defining certain terms; and generally relating
to synthetic plastic microbeads.

BY adding to

Article – Environment
Section 9–2001 and 9–2002 to be under the new subtitle “Subtitle 20. Personal Care
Products”
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**House Bill 395 – Delegates Valentino-Smith, Folden, McComas, B. Wilson, and
C. Wilson**

AN ACT concerning

**Death or Life-Threatening Injury by Motor Vehicle or Vessel – Subsequent
Offenders – Penalties**

FOR the purpose of establishing subsequent offender penalties for certain offenses that
result in the death or life-threatening injury to another as the result of a certain
person driving, operating, or controlling a vehicle or vessel; providing that certain
offenses committed in another state or federal jurisdiction are to be considered for

the application of certain subsequent offender penalties; and generally relating to death or life-threatening injuries by motor vehicles or vessels.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–209, 2–210, 2–503 through 2–506, and 3–211
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 430 – Delegates Folden and Afzali

AN ACT concerning

Drunk Driving – Accidents Resulting in Death – Sanctions for Administrative Per Se Offenses

FOR the purpose of altering the administrative sanctions for certain alcohol-related administrative per se offenses applicable to a person who was involved in a motor vehicle accident that resulted in the death of another person; expanding the list of issues that may be considered during a certain hearing to include whether a certain person was involved in a motor vehicle accident that resulted in the death of another person; altering the circumstances under which the Motor Vehicle Administration is required to take certain actions and the actions the Administration may take against a person's driver's license for certain administrative per se offenses; authorizing the Administration, under certain circumstances, to issue a certain restrictive license to allow for participation in the Ignition Interlock System Program by a person whose license is suspended or revoked under this Act; making conforming changes; and generally relating to motor vehicle accidents resulting in death and administrative sanctions for alcohol-related administrative per se offenses.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205.1(b)(1)(i) and (ii), (f)(4), (7), and (8)(i) and (v), and (j) and 16–404.1(f)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 452 – Delegates Ebersole, Afzali, Atterbeary, Barkley, Cassilly, Cullison, Davis, Fraser-Hidalgo, Hill, Hixson, Hornberger, C. Howard, Jalisi, Kaiser, Kelly, Kipke, Krimm, Lafferty, Lam, Lisanti, Luedtke, McComas, McCray, McDonough, Metzgar, Moon, Oaks, Pendergrass, Platt, Reilly, Reznik, Shoemaker, Sydnor, Szeliga, Tarlau, Turner, Waldstreicher, A. Washington, and M. Washington

AN ACT concerning

Commission to Review Maryland's Use of Assessments and Testing in Public Schools

FOR the purpose of establishing the Commission to Review Maryland's Use of Assessments and Testing in Public Schools; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to survey, assess, review, and make recommendations regarding certain matters; requiring the Commission to report its findings and recommendations to the State Board of Education and certain county boards of education on or before a certain date; requiring the State Board and certain county boards to review and consider the Commission's findings and make certain comments or recommendations on or before a certain date; requiring the State Department of Education to survey, review, and assess certain data relating to local, State, and federally mandated assessments; requiring the Department to report certain findings and recommendations to the State Board of Education, each county board of education, and certain legislative committees on or before a certain date; requiring each county board to review and consider certain findings and recommendations and make certain comments on or before a certain date; requiring the State Board to review and consider certain findings and recommendations, make certain comments, and submit a certain compilation; providing for the termination of this Act; and generally relating to the Commission to Review Maryland's Use of Assessments and Testing in Public Schools.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 468 – Delegates Jameson and Davis

AN ACT concerning

Chesapeake Employers' Insurance Company ~~and Injured Workers' Insurance Fund Advisory Board~~

FOR the purpose of authorizing the Chesapeake Employers' Insurance Company to take certain actions relating to a subsidiary for certain purposes subject to certain requirements and under certain circumstances; specifying a certain condition of being an authorized insurer; altering the selection and appointment process for the members of the Board for the Chesapeake Employers' Insurance Company; repealing a requirement that certain appointees take a certain oath before taking office as members of the Board; altering the staggering of the terms of members of the Board; authorizing the Governor to remove only certain members for incompetence or misconduct; authorizing the Board policyholders to remove certain members under certain circumstances; authorizing the Maryland Insurance Commissioner to remove certain members under certain circumstances; requiring the Commissioner, at

~~certain intervals, to review the State's Self-Insured Workers' Compensation Program for State Employees, make a certain determination, and submit a certain report to the State Treasurer; requiring a certain designated rating organization to create a certain exception in its classification system for certain authorized insurers; authorizing the Company to remain exempt from certain insurance rate making requirements until a certain date; repealing certain provisions of law that exempt the Company from certain aspects of the insurance rate making process; repealing a provision of law that requires the Board to set rates in a certain manner; establishing the Advisory Board for the Injured Workers' Insurance Fund; providing for the membership of the Advisory Board; requiring the Advisory Board, to the extent practicable, to reflect the geographic and demographic diversity of the State; providing for the terms of the members of the Advisory Board; prohibiting a member of the Advisory Board from serving for more than a certain number of terms or a certain number of years or serving as a member of a certain board; providing that a member of the Advisory Board is entitled to certain reimbursement and compensation; requiring a member of the Advisory Board to take a certain oath before taking office; requiring the Advisory Board to monitor and oversee the administration of a certain program, meet quarterly, and review certain information and report certain findings to certain persons; authorizing the Advisory Board to consult with certain employees, make certain recommendations, and retain certain professionals under certain circumstances; declaring the intent of the General Assembly that a rating organization, in consultation with the Company, create a certain exception in its classification system for authorized insurers before a certain date; requiring the terms of certain members to be extended until a certain date; specifying the process for appointing or selecting a certain member of the Board; authorizing requiring the Governor to appoint a certain member certain members of the Board to be a member for an additional term whose terms expire in certain years; providing for the terms of certain members of the Board; specifying the terms of the initial members of the Advisory Board; defining a certain term; altering a certain defined term authorizing the Governor to appoint specified members notwithstanding certain term limits and if a certain appointment complies with certain qualification requirements; providing for the appointment and the terms of the members of the Board that begin in certain years; making conforming changes; providing for delayed effective dates for certain provisions of this Act; providing for the termination of a certain provision of this Act; and generally relating to the Chesapeake Employers' Insurance Company.~~

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–202, 11–303, 24–302, 24–306, and 24–307
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY adding to
Article – Insurance
Section 11–331 and 11–332
Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY repealing

Article – Insurance

Section 24–305

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section ~~10–101~~ 10–102(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)

~~BY adding to~~

~~Article – Labor and Employment~~

~~Section 10–105.1~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2014 Supplement)~~

Read the first time and referred to the Committee on Finance.

House Bill 491 – Delegates Morhaim, ~~Aumann~~, Hettleman, Stein, and ~~West~~ West, Cullison, Kelly, Pena–Melnik, Pendergrass, and K. Young

AN ACT concerning

Office of Cemetery Oversight – Conservation Cemeteries – Perpetual Care Trust Fund Requirements

FOR the purpose of reducing the minimum amount that a certain registered cemeterian or permit holder that operates a conservation cemetery is required to deposit initially into the perpetual care trust fund; reducing the percentage of the selling price of a right of interment in a burial lot in a conservation cemetery that the registered cemeterian or permit holder operating the conservation cemetery is required to pay in cash to a certain trustee for deposit into the perpetual care trust fund; requiring the Office of Cemetery Oversight to consider certain information in determining whether to designate a certain cemetery as a conservation cemetery for certain purposes; defining a certain term; and generally relating to perpetual care trust fund requirements for conservation cemeteries.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–101 and 5–603

Annotated Code of Maryland

(2010 Replacement Volume and 2014 Supplement)

BY adding to

Article – Business Regulation
Section 5–602.1
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 512 – Delegates K. Young, Hill, and Reznik

AN ACT concerning

Office of Cemetery Oversight – Preneed Burial Contracts – Report Submission Requirement

FOR the purpose of altering the time period within which a certain seller of preneed goods or preneed services is required to submit a certain report regarding preneed burial contracts and preneed trust accounts to the Director of the Office of Cemetery Oversight; and generally relating to preneed burial contracts and the Office of Cemetery Oversight.

BY repealing and reenacting, without amendments,

Article – Business Regulation
Section 5–710(a) and (b)(2)
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 5–710(b)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 540 – Delegate Mautz

EMERGENCY BILL

AN ACT concerning

Public Health – Regulation of Milk Products – Revisions

FOR the purpose of altering certain definitions related to the regulation of milk products; repealing the limitation on the number of milk processor – farmstead cheese producer permits the Secretary of Health and Mental Hygiene may issue; repealing the requirement that an applicant for a milk processor – farmstead cheese producer

permit operate a dairy farm with no more than a certain number of cows or goats in the herd; repealing the limit on the number of times a milk processor – farmstead cheese producer permit may be renewed; making conforming changes; making this Act an emergency measure; and generally relating to the regulation of milk products.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–401, 21–416.1, and 21–417
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 542 – Delegates O’Donnell and Jackson

AN ACT concerning

Circuit Court for Calvert County – Fees for Appearance of Counsel

FOR the purpose of altering certain appearance of counsel fees collected or charged by the Clerk of the Circuit Court for Calvert County; altering the purposes for which certain appearance fees deposited into the Calvert County Law Library Fund may be used; and generally relating to certain appearance of counsel fees.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–204(a)(1) and (f)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 7–204(a)(7)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 555 – ~~Delegate Kipke~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Semipermanent Food Service Facilities – Wastewater Disposal

FOR the purpose of altering the scope of certain provisions of law that establish certain requirements for the disposal of wastewater by an operator of a semipermanent food

service facility that operates in Anne Arundel County; and generally relating to semipermanent food service facilities operating in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–301(a) and (j–2)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–312.2
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 556 – Delegate Pendergrass

AN ACT concerning

State Board of Environmental Health Specialists – Revisions

FOR the purpose of altering the frequency with which certain officers of the State Board of Environmental Health Specialists must be elected; requiring the Board to appoint an executive director; establishing the duties of the executive director; altering certain qualifications for a certain license; altering certain requirements for applying for a certain license; altering certain education requirements for qualification to take a certain examination; repealing a requirement that certain examination papers identify the applicant only by a certain number; repealing a requirement that certain examination papers be filed with the Board secretary and kept for a certain number of years; authorizing the Board to waive a certain examination requirement for a certain applicant; repealing a certain provision of law prohibiting consumer members of the Board from participating in certain activities related to certain examinations; requiring a certain licensee to notify the Board of any changes in the licensee's address within a certain period of time; making technical corrections; and generally relating to the State Board of Environmental Health Specialists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 21–203, 21–204, 21–304, 21–306, and 21–309
Annotated Code of Maryland
(2014 Replacement Volume)

BY repealing
Article – Health Occupations
Section 21–302 and 21–303

Annotated Code of Maryland
(2014 Replacement Volume)

BY adding to
Article – Health Occupations
Section 21–302 and 21–303
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 561 – Delegate Krebs

AN ACT concerning

State Board of Morticians and Funeral Directors – Notice of Member Vacancies

FOR the purpose of ~~requiring the Governor to appoint each member of the Board of Morticians and Funeral Directors from a list of names submitted to the Governor by certain entities; requiring a certain list of names to the Governor;~~ requiring the Board to provide notice of a member vacancy to certain persons; requiring a certain notice to include certain information; ~~requiring the Board to develop guidelines for the solicitation of nominations and balloting process that to the extent practicable will result in a certain Board composition reflecting certain diversity of the State;~~ clarifying that the manner in which a health occupations board is required to give notice of a board vacancy is subject to a certain exception; and generally relating to the State Board of Morticians and Funeral Directors and member vacancies.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–215 and 7–202
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 580 – Delegates Pena–Melnik, Atterbeary, Campos, Carr, Cullison, Davis, Kelly, Oaks, B. Robinson, Sophocleus, and Tarlau

AN ACT concerning

Health Care Disparities, Cultural and Linguistic Competency, and Health Literacy – ~~Continuing Education~~ Recommended Courses

FOR the purpose of ~~requiring certain applicants and health care professionals to provide to certain boards evidence of completion of certain continuing education requirements; requiring certain boards, in consultation with the Office of Minority Health and Health Disparities and State experts, to adopt certain regulations; stating the intent of the General Assembly that the regulations require a certain percentage of the total required continuing education credits be in health care disparities, cultural and linguistic competency, and health literacy; requiring certain boards, on or before a certain date, to approve certain continuing education courses; requiring courses approved by a board to include certain instruction; authorizing a board to approve certain courses; requiring the Office of Minority Health and Health Disparities to provide to certain health occupations boards a list of certain recommended courses; requiring each board to post a certain list in a certain manner on the board's Web site, provide information about the courses to certain health care professionals at a certain time, and advertise the availability of certain courses in certain newsletters and media; defining certain terms; and generally relating to continuing education recommended courses in health care disparities, cultural and linguistic competency, and health literacy for health care providers professionals.~~

BY adding to

Article – Health Occupations

Section 1-801 ~~through 1-804~~ and 1-802 to be under the new subtitle “Subtitle 8. Continuing Education in Health Care Disparities, Cultural and Linguistic Competency, and Health Literacy”

Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 585 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Regulations to Prohibit Smoking MC/PG 109–15

FOR the purpose of requiring the Maryland–National Capital Park and Planning Commission to adopt regulations, on or before a certain date, to prohibit on property under its jurisdiction the smoking of certain tobacco products; providing for ~~a certain exemptions and exclusions~~ exclusion; and generally relating to regulations by the Maryland–National Capital Park and Planning Commission.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 17–207

Annotated Code of Maryland
(2012 Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 598 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Raffles – Charitable Foundations ~~and Repeal of~~
~~Monetary Cap~~
PG 301–15**

FOR the purpose of authorizing a raffle to be conducted in Prince George’s County by a certain charitable foundation that is affiliated with a professional football team that plays its home games in the county and that has an office and conducts operations in the county; requiring the foundation to obtain a written permit from a certain county agency before conducting the raffle; requiring the agency to ascertain the character of the applicant before issuing the permit; prohibiting the permit from being transferred; requiring the county agency to set a permit fee; providing for no limitation on the number of permits that may be issued in a year; authorizing the charitable foundation to set the price of raffle tickets and to award prizes in any amount in money or in merchandise, but prohibiting the amount from exceeding a certain percentage of the raffle proceeds; requiring that certain proceeds be used to benefit the residents of the county; prohibiting any proceeds from helping to cover certain costs in conducting the raffle; requiring that a raffle be held in conjunction with a specific professional football game played in the county; providing that a permit is valid for not more than a certain number of hours; setting certain requirements concerning the conduct of the raffle and the selling of raffle tickets; requiring the charitable foundation to send to a certain county agency an annual report detailing the amount and disposition of the money raised by raffles in the previous calendar year; ~~repealing the cap on the amount of money that a qualified organization may award as a prize in a raffle conducted in Prince George’s County;~~ defining a certain term; making conforming changes; and generally relating to raffles held in Prince George’s County.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–1901, 13–1908, 13–1909, 13–1910, and 13–1911

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 13–1902

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY adding to

Article – Criminal Law

Section 13–1911.1

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 603 – Delegates S. Robinson, Carr, Clippinger, Gilchrist, Kelly, Korman, A. Miller, Moon, Pendergrass, ~~and Platt~~ Platt, and Jalisi

AN ACT concerning

~~**Composting and Anaerobic Digestion Facilities**~~ – **Yard Waste and Food Residuals Diversion and Infrastructure Task Force**

FOR the purpose of ~~altering certain provisions of law relating to the composting of yard waste; requiring a certain person to ensure certain yard waste is recycled in a certain manner beginning on a certain date; authorizing certain composting facilities and anaerobic digestion facilities to be located at refuse disposal systems; requiring a certain person to ensure certain food residuals are diverted from the solid waste stream in a certain manner beginning on a certain date; requiring the Department of the Environment to adopt certain regulations; defining certain terms; and generally relating to composting and anaerobic digestion facilities~~ establishing the Yard Waste and Food Residuals Diversion and Infrastructure Task Force; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to identify, evaluate, study, and make recommendations regarding certain matters; requiring the Task Force to report its interim and final findings and recommendations to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Yard Waste and Food Residuals Diversion and Infrastructure Task Force.

~~BY repealing and reenacting, without amendments,~~

~~Article – Environment~~

~~Section 9–1701(a), (b), (c), (d), and (t) and 9–1726~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume)~~

~~BY repealing~~

~~Article – Environment~~

~~Section 9–1724~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume)~~

~~BY adding to~~

~~Article – Environment~~

~~Section 9-1701(a-1), (a-2), and (h-1) and 9-1724~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – Environment~~

~~Section 9-1701(n), 9-1723, and 9-1725~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 613 – Delegate Hammen

AN ACT concerning

Hospitals – Rate-Setting – Participation in 340B Program Under the Federal Public Health Service Act

FOR the purpose of altering the definition of “hospital services” to include a certain hospital outpatient service of a certain hospital for the purpose of ~~allowing~~ making it possible for the hospital outpatient service ~~to continue~~ to participate in a certain federal program under rates set by the State Health Services Cost Review Commission; and generally relating to rates for hospital outpatient services.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19-201

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19-219(a) and (b)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 615 – Delegates Moon, Morales, Anderson, Carter, Jalisi, Korman, Platt, and Smith

AN ACT concerning

**~~Division of Parole and Probation – Revocation~~ Sanctioning Prohibited –
Marijuana Citation**

FOR the purpose of ~~prohibiting the Division of Parole and Probation from issuing a certain warrant or a certain notice of violation for a certain offender or parolee charged with a certain marijuana violation or who submits a urinalysis that is positive for marijuana; and generally relating to the Division of Parole and Probation~~ providing that a person may not be sanctioned for a violation of a condition of probation or parole for the sole reason that the person received a certain citation, subject to a certain exception; and generally relating to parole and probation.

BY adding to

Article – Correctional Services

Section 6–119

Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 618 – Delegates Carter, Anderson, Dumais, Morales, and Smith

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

FOR the purpose of requiring a court exercising criminal jurisdiction in a case involving a child, or the District Court at a bail review or preliminary hearing involving a child, to order a certain child to be held in a secure juvenile facility pending a certain transfer determination except under certain circumstances; requiring the District Court to state the reasons for a certain finding on the record under certain circumstances; and generally relating to the confinement of juveniles.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 4–202

Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 642 – Delegates Luedtke, Morales, Afzali, Barkley, Buckel, Dumais, Fraser-Hidalgo, Gutierrez, Hixson, C. Howard, Jackson, Jalisi, Kaiser, Kelly, Krimm, Moon, Platt, Reilly, Smith, Turner, A. Washington, M. Washington, and B. Wilson

AN ACT concerning

**Children – Child Care Facilities, Public Schools, and Nonpublic Schools –
Contractors and Subcontractors**

FOR the purpose of prohibiting certain county boards of education and certain nonpublic schools from ~~allowing certain individuals to hire or retain~~ hiring or retaining certain individuals who have been convicted of certain crimes ~~and who have a certain type of access to certain students in certain circumstances~~; requiring certain contracts to provide that certain contractors or subcontractors for certain nonpublic schools and certain local school systems may not knowingly assign employees to work on school premises with certain access to children if the employee has been convicted of certain crimes; adding certain contractors and subcontractors who have a certain type of access to certain children to the list of individuals required to obtain a certain criminal history records check; amending a certain definition of “employee” to include certain contractors and subcontractors who have a certain type of access to certain children; making certain stylistic changes; and generally relating to contractors and subcontractors who work with or have access to children.

BY repealing and reenacting, with amendments,
Article – Education
Section 2–206.1 and 6–113
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–560(a) and (d) and 5–561(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Family Law
Section 5–561(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–561(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 658 – Delegates Pena–Melnik, Angel, Beidle, Bromwell, Carr, Cullison, Hayes, Hill, Kelly, Kipke, Kramer, Krebs, Lam, McDonough, McMillan, Miele, Moon, Morales, Morhaim, Oaks, Pendergrass, Reznik, B. Robinson,

Sample–Hughes, Sophocleus, Szeliga, Tarlau, and Valderrama Valderrama, Hammen, Saab, West, Rose, and K. Young

AN ACT concerning

Public Health – Emergency Use Auto-Injectable Epinephrine and Allergy Treatment Program

FOR the purpose of ~~establishing the Emergency Use Auto-Injectable Epinephrine Program in the Department of Health and Mental Hygiene; providing for the purpose of the Program; authorizing the Department to adopt certain regulations, collect certain fees, issue and renew certain certificates, and approve certain training programs relating to the Program; altering the name of the Insect Sting Emergency Treatment Program to be the Emergency and Allergy Treatment Program; altering the purpose of the Program; repealing the authority of the Department of Health and Mental Hygiene to conduct certain educational training programs; establishing~~ altering the qualifications for applicants for a certain certificate; requiring the Department to issue certain certificates to certain applicants; providing for the contents, replacement, term, and renewal of certain certificates; requiring an applicant for a certain certificate to have a certain policy; repealing a requirement that certain educational training programs be conducted by certain individuals and include certain information; repealing certain application requirements; authorizing certain physicians to prescribe and certain pharmacists to dispense auto-injectable epinephrine to certain certificate holders; authorizing certain certificate holders to take certain actions; repealing certain requirements regarding the issuance, contents, replacement, and renewal of a certain certificate; providing that a cause of action may not arise against certain certificate holders for certain acts or omissions under certain circumstances; providing that a cause of action may not arise against certain physicians who prescribe or dispense auto-injectable epinephrine and certain paraphernalia to certain certificate holders under certain circumstances; altering certain immunities from certain causes of action for certain certificate holders and physicians; providing that a cause of action may not arise against certain pharmacists who dispense auto-injectable epinephrine and certain paraphernalia to certain certificate holders under certain circumstances; repealing certain provisions of law authorizing certain individuals to receive, possess, and administer certain epinephrine; providing for immunity from civil liability for certain individuals under certain circumstances; providing for the effect of certain provisions of this Act; providing for the construction of this Act; requiring certain certificate holders to submit to the Department a certain report; requiring the Department to publish a certain report on or before a certain date each year; requiring the Department to report to certain committees of the General Assembly on or before a certain date on the implementation of this Act; altering certain definitions; defining certain terms; making certain conforming and stylistic changes; and generally relating to the Emergency Use Auto-Injectable Epinephrine and Allergy Treatment Program.

BY repealing and reenacting, with amendments,
Article – Health – General

Section 13-701 through 13-704, 13-708, and 13-709 to be under the amended subtitle “Subtitle 7. Emergency and Allergy Treatment Program”
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing

Article – Health – General
Section 13-705 through 13-707
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY adding to

Article – Health – General
Section ~~13-7A-01 through 13-7A-10 to be under the new subtitle “Subtitle 7A. Emergency Use Auto-Injectable Epinephrine Program”~~ 13-705 and 13-706
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Judicial Proceedings.

House Bill 674 – Delegates Barron, Angel, Hayes, Hill, Luedtke, McDonough, Oaks, Pena-Melnyk, Reznik, Sample-Hughes, and ~~Tarlau~~ Tarlau, Hammen, Bromwell, Cullison, Kelly, Kipke, Krebs, McMillan, Miele, Morgan, Morhaim, Pendergrass, Rose, Saab, West, and K. Young

AN ACT concerning

Public Information Act – List of Contact Information for Governmental Unit Representatives

FOR the purpose of requiring certain governmental entities to identify a representative who a member of the public should contact to request a public record, maintain certain contact information, post the information on the unit’s Web site or keep the information in a certain place, and annually update the information and submit it to the Office of the Attorney General; requiring the Office to post certain information on the Office’s Web site and include certain information in a certain manual; and generally relating to a list of contact information for representatives of governmental units that maintain public records.

BY adding to

Article – General Provisions
Section 4-503
Annotated Code of Maryland
(2014 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 697 – Delegate Davis

AN ACT concerning

Life Insurers – Reserve Investments – Loans Secured by Real Estate

FOR the purpose of altering the maximum term of certain loans on certain real estate that may be included in the reserve investments of life insurers; making certain conforming changes; and generally relating to the reserve investments of life insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 5–511(g)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 707 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Board of Education – Issuance of Credit Cards –
Prohibition
PG 411–15**

FOR the purpose of prohibiting the Prince George’s County Board of Education from issuing a credit card to a member of the county board; providing for a delayed effective date; and generally relating to the members of the Prince George’s County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1003
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 738 – Delegate Krebs

AN ACT concerning

Jurisdiction of the State Ethics Commission and the Maryland State Board of Contract Appeals – Participation in Procurement

FOR the purpose of amending and transferring from the State Ethics Commission to the Maryland State Board of Contract Appeals jurisdiction of certain provisions of law prohibiting certain participation in procurement by a ~~certain individual or a certain person that employs a certain individual who assists~~ certain person who has assisted a certain executive unit in the drafting of specifications, an invitation for bids, a request for proposals for procurements, or the selections or awards made in response to an invitation for bids or a request for proposals; providing that the prohibition against a certain individual participating in a certain procurement only applies for a certain period of time following the issuance of an invitation for bids or a request for proposals; providing that certain provisions of law relating to dispute resolution by the Maryland State Board of Contract Appeals apply to certain protests relating to the formation of a procurement contract for architectural services or engineering services; clarifying that violations of certain provisions of law are within the jurisdiction of the Maryland State Board of Contract of Appeals; and generally relating to participation in procurement and the jurisdiction of the State Ethics Commission and the Maryland State Board of Contract Appeals.

BY repealing

Article – General Provisions

Section 5–508

Annotated Code of Maryland

(2014 Volume)

BY adding to

Article – State Finance and Procurement

Section 13–212.1

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 15–202 and 15–211

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 745 – Delegates Bromwell, Barron, Morales, Morhaim, Reznik, ~~and Valentino Smith~~ Valentino Smith, Hammen, Hayes, McMillan, Oaks, Pena-Melnyk, Miele, Saab, Kelly, McDonough, Morgan, Kipke, Cullison, Sample-Hughes, West, Rose, Hill, Krebs, and K. Young

AN ACT concerning

Public Health – Overdose Response Program

FOR the purpose of authorizing certain advanced practice nurses, in addition to certain nurse practitioners and pharmacists to conduct certain overdose prevention educational training programs; altering the circumstances under which certain employees or volunteers may conduct the training programs; authorizing certain advanced practice nurses, ~~in addition to certain nurse practitioners,~~ to prescribe and dispense naloxone to certain certificate holders; authorizing certain licensed physicians and advanced practice nurses to prescribe and dispense naloxone to certain certificate holders ~~directly or under~~ by issuing a certain standing order under certain circumstances; authorizing certain licensed health care providers to prescribe naloxone to certain patients under certain circumstances; authorizing a pharmacist to dispense naloxone in accordance with a certain therapy management contract; providing that certain individuals who administer naloxone or provide naloxone to certain certificate holders under certain circumstances may not be considered to be practicing certain health occupations; providing that an advanced practice nurse who prescribes or dispenses naloxone to a certificate holder in a certain manner may not be subject to certain disciplinary actions; providing immunity from liability for certain persons under certain circumstances; exempting certain persons who are authorized to dispense naloxone from certain prescription drug dispensing permit requirements; providing for the construction of this Act; defining certain terms; making clarifying and conforming changes; and generally relating to the Overdose Response Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3101, 13–3104, 13–3107, 13–3108, and 13–3109
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY adding to
Article – Health – General
Section 13–3110 and 13–3111
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 746 – Delegates Barve, Branch, Chang, Jalisi, Lam, A. Miller, Moon, Morhaim, and Platt

AN ACT concerning

General Provisions – Commemorative Days – South Asian American Heritage Day

FOR the purpose of requiring the Governor to proclaim annually a certain day as South Asian American Heritage Day; requiring the proclamation to urge certain organizations to properly observe South Asian American Heritage Day with appropriate programs, ceremonies, and activities; and generally relating to South Asian American Heritage Day.

BY renumbering

Article – General Provisions
Section 7–411 through 7–413, respectively
to be Section 7–412 through 7–414, respectively
Annotated Code of Maryland
(2014 Volume)

BY adding to

Article – General Provisions
Section 7–411
Annotated Code of Maryland
(2014 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 748 – Delegates Saab, S. Howard, and Sophocleus

AN ACT concerning

Health Occupations – Board of Pharmacy – Pharmacist Rehabilitation Committee – Definition

FOR the purpose of altering the definition of “pharmacist rehabilitation committee”, for purposes of provisions of law governing pharmacist rehabilitation committees, to provide that it is a group that includes at least one pharmacist instead of a group, the majority of which is comprised of pharmacists; and generally relating to pharmacist rehabilitation committees.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 12–317
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 770 – Delegate Davis

AN ACT concerning

**Insurance – Standard Valuation Law and Reserve and Nonforfeiture
Requirements**

FOR the purpose of establishing certain requirements relating to the reserves and opinions relating to the reserves for certain life insurance policies, accident and health insurance contracts, and deposit-type contracts issued by certain companies on or after the operative date of a certain valuation manual; clarifying the scope of certain provisions of law relating to the reserve requirements and opinions relating to the reserve requirements for certain policies, contracts, and benefit agreements required before the operative date of the valuation manual; requiring certain companies to submit annually a certain opinion relating to the reserves and related actuarial items held in support of certain policies and contracts; requiring the valuation manual to prescribe the contents of the opinion and certain other items; requiring certain companies to include with the opinion an additional opinion of a certain actuary, except under certain circumstances; requiring the obligations of a company under certain policies and contracts to include certain benefits and expenses; requiring a certain actuary to consider certain investment earnings and other consideration in reviewing certain assets held by a certain company; requiring a certain memorandum to be prepared to support a certain opinion; authorizing the Maryland Insurance Commissioner to engage a certain actuary at the expense of a certain company under certain circumstances; establishing certain requirements for certain opinions; limiting the liability for damages of certain actuaries under certain circumstances; requiring the Commissioner to adopt regulations to establish disciplinary action against a certain company or certain actuary that violates certain provisions of this Act; repealing certain provisions of law authorizing the Commissioner to certify the amount of certain reserves; altering the circumstances under which the Commissioner may accept a certain valuation; requiring the Commissioner to annually value or cause to be valued the reserves of certain policies and contracts issued by a company on or after the operative date of the valuation manual; establishing the minimum standard for valuation of the policies and contracts; specifying the manner in which the operative date of the valuation manual is determined; providing for the effective date of changes to the valuation manual; requiring the valuation manual to specify certain minimum valuation standards, the format for certain reports, certain other requirements, and certain data and the form of the data that must be submitted under a certain provision of this Act; authorizing a company, under certain circumstances, to comply with a minimum standard of valuation prescribed by the Commissioner by regulation; authorizing the Commissioner to rely on a certain opinion under certain circumstances; authorizing the Commissioner to require a company to change any assumption or method used by the company under certain circumstances; requiring a company to adjust the company's reserves as required by the Commissioner; requiring a company, for policies and contracts specified in the valuation manual, to establish reserves using a certain principle-based valuation; establishing certain requirements for a company that uses a principle-based valuation; requiring a company to submit certain information as prescribed in the valuation manual; providing that certain

information of a company is confidential and privileged, is not subject to the Maryland Public Information Act, and is not subject to subpoena or discovery or admission in evidence in a certain civil action, subject to certain exceptions; authorizing the Commissioner to share and use certain confidential information under certain circumstances and to enter into agreements governing the sharing and use of the information; authorizing the Commissioner to receive certain documents, materials, data, and other information; providing that a certain privilege or claim of confidentiality in confidential information is not waived as a result of a certain disclosure or sharing of the confidential information; authorizing the Commissioner to exempt a specific product form or product line of a certain company under certain circumstances; authorizing the Commissioner to exempt a domestic company from certain reserve requirements and certain information submission requirements under certain circumstances; requiring a domestic company that meets the requirements for exemption to compute reserves in accordance with certain requirements and file a certain statement with the Commissioner before a certain date each year; authorizing the Commissioner to reject the statement before a certain date and require the domestic company to comply with the valuation manual requirements; specifying the mortality tables that may be substituted for certain other mortality tables to be used in determining the minimum nonforfeiture standard for certain policies issued on or after the operative date of the valuation manual; establishing the nonforfeiture interest rate for certain policies issued on or after the operative date of the valuation manual; altering the nonforfeiture interest rate for certain policies issued before the operative date of the valuation manual; providing for the resolution of any conflict between Maryland law and the valuation manual; making this Act subject to certain contingencies; requiring the Commissioner to give certain notice to the Department of Legislative Services; providing that this Act is null and void under certain circumstances; defining certain terms; making certain conforming and clarifying changes; and generally relating to the Maryland Standard Valuation Law and reserve and nonforfeiture requirements for insurance policies and contracts issued in the State.

BY renumbering

Article – Insurance

Section 5–301

to be Section 5–301.1

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 5–201, 5–303, 5–304(b)(3), (c), (f), and (g), 5–305(c), (d), and (f), 5–306(f)(7),
and 16–309

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY adding to

Article – Insurance

Section 5–201.1, 5–301, and 5–313 through 5–317
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 5–301.1
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Finance.

**House Bill 779 – Delegates A. Washington, Campos, Ebersole, Fennell,
Hornberger, Metzgar, Patterson, Platt, Tarlau, and Valderrama**

AN ACT concerning

~~**Higher Education – Low Income Student Outreach and College Access Act of
2015**~~ **Maryland Higher Education Outreach and College Access Pilot Program**

FOR the purpose of establishing the ~~Low Income Student~~ Maryland Higher Education Outreach and College Access Pilot Program targeting low-income Maryland high school graduates; establishing certain purposes of the Program; requiring the Maryland Higher Education Commission to administer the Program and perform certain duties; establishing certain eligibility requirements for participation in the Program; requiring certain actions from nonprofit organizations that receive Program funding; requiring the Commission to submit a summary report on the Program on or before certain dates; ~~requiring the Governor to make an appropriation in the State budget for the Commission for a certain purpose;~~ providing for the termination of this Act; and generally relating to the ~~Low Income Student~~ Maryland Higher Education Outreach and College Access Pilot Program.

BY adding to
Article – Education
Section 11–1101 through ~~11–1107~~ 11–1106 to be under the new subtitle “Subtitle 11.
~~Low Income Student~~ Maryland Higher Education Outreach and College
Access Pilot Program”
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**House Bill 799 – Delegates P. Young, Clippinger, Jones, McIntosh, Smith, Sydnor,
C. Wilson, ~~and Zucker~~ Zucker, Afzali, D. Barnes, Buckel, Ebersole, Fennell,
Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Metzgar, Patterson,**

Platt, Reilly, Shoemaker, Simonaire, Tarlau, Turner, Walker,
A. Washington, and M. Washington

AN ACT concerning

**Higher Education – ~~Exemption From Nonresident Tuition~~ – Veterans and
Dependents Nonresident Tuition – Compliance With Federal Law**

FOR the purpose of ~~exempting certain spouses and dependents of certain veterans of the United States armed forces from paying nonresident tuition at certain public institutions of higher education in the State; altering certain eligibility requirements for certain veterans to qualify for nonresident tuition at certain public institutions of higher education;~~ requiring each public institution of higher education in the State to comply with certain federal laws relating to veterans' tuition benefits; and generally relating to tuition charges for veterans of the United States armed forces and their dependents.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.4
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

House Bill 821 – Delegates Simonaire and Kipke

AN ACT concerning

**Environment – Cox Creek Citizens Oversight Committee – Composition –
Second Duties**

FOR the purpose of altering the composition of the Cox Creek Citizens Oversight Committee; altering the duties of the Oversight Committee; and generally relating to the Cox Creek Citizens Oversight Committee.

BY repealing and reenacting, without amendments,
Article – Environment
Section 5–1101(a)(5)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–1102.1
Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 847 – ~~Delegate Simonaire~~ Delegates Simonaire, Afzali, D. Barnes, Buckel, Ebersole, Fennell, Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Metzgar, Patterson, Platt, Reilly, Shoemaker, Tarlau, Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

Community Colleges – Victims of Human Trafficking – Exemption From Out-of-County and Out-of-Region Fees

FOR the purpose of exempting certain victims of human trafficking from paying a certain out-of-county fee or a certain out-of-region fee at community colleges in the State; authorizing each board of community college trustees to waive a certain out-of-county fee or a certain out-of-region fee for certain students; requiring certain information collected by a community college to remain confidential; requiring a community college to collect certain information and report certain information to the Maryland Higher Education Commission each year; requiring the Commission to submit a certain report to the General Assembly each year; requiring the Maryland Higher Education Commission to adopt certain regulations; defining a certain term; and generally relating to an exemption from the out-of-county fees and out-of-region fees for victims of human trafficking.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 16–310(b)
 Annotated Code of Maryland
 (2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 848 – ~~Delegate Simonaire~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County Public Schools Funding Accountability and Transparency Act

FOR the purpose of requiring the Anne Arundel County Board of Education to develop and operate a certain Web site that includes certain information about certain payments; specifying certain parameters of the Web site; requiring the Board to post certain information in a timely manner; defining certain terms; and generally relating to the

development and operation of a searchable Web site by the Anne Arundel County Board of Education.

BY adding to

Article – Education

Section 5–119

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 902 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$51,925,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 932 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – City of College Park – Class D Beer and Wine License
PG 317–15**

FOR the purpose of authorizing a certain Class D (on–sale) beer and wine license issued for certain premises in the City of College Park to be converted, on or after a certain date, into a certain Class D (on– and off–sale) beer and wine license for certain other premises in the City of College Park; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY adding to

Article 2B – Alcoholic Beverages

Section 9–217(l)(3)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 954 – Delegates A. Washington, Morales, Anderson, D. Barnes, Carter, Conaway, Patterson, Smith, and Sydnor

AN ACT concerning

Public Safety – Deaths Involving a Law Enforcement Officer – Reports

FOR the purpose of requiring local law enforcement agencies to provide the ~~Department of State Police~~ Governor’s Office of Crime Control and Prevention with certain information on officer–involved deaths and deaths in the line of duty; requiring the ~~Department~~ Governor’s Office of Crime Control and Prevention to report annually certain information on officer–involved deaths and deaths in the line of duty to the General Assembly; requiring the ~~Department~~ Governor’s Office of Crime Control and Prevention to adopt certain procedures for reporting certain deaths; requiring the ~~Department~~ Governor’s Office of Crime Control and Prevention to report certain information on officer–involved deaths and deaths in the line of duty to the General Assembly by a certain date; defining certain terms; and generally relating to the reporting of officer–involved deaths and deaths in the line of duty.

BY adding to

Article – Public Safety

Section ~~2–315~~ 3–507

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1032 – Delegates Jackson, Cluster, and Folden

AN ACT concerning

Public Safety – Transport of Weapons on School Property – Retired Law Enforcement Officers

FOR the purpose of providing that a certain prohibition on carrying or possessing a certain weapon on public school property does not include a certain retired law enforcement officer who is a parent, guardian, or visitor of a student attending a school located on the public school property under certain circumstances; and generally relating to retired law enforcement officers.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–102
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1035 – Delegate Oaks (By Request – Baltimore City Administration) and Delegates Anderson, Carter, Clippinger, Hammen, Haynes, Lierman, McIntosh, and Rosenberg

AN ACT concerning

Baltimore City – Tax Sales

FOR the purpose of requiring the tax collector in Baltimore City to withhold certain owner-occupied residential property from a tax sale when the taxes on the property are under a certain amount; exempting a person redeeming certain owner-occupied residential property in Baltimore City from the requirement that the person pay the tax collector any taxes, interest, and penalties accruing after the date of the tax sale; altering the time at which a holder of a certificate of sale may file to foreclose the right of redemption on certain owner-occupied residential property in Baltimore City; altering the time at which a certain notice of intent to foreclose the right of redemption on certain owner-occupied residential property in Baltimore City may be sent; authorizing an owner of certain owner-occupied residential property in Baltimore City to request the holder of a certificate of sale to provide certain information; requiring the request to be sent in a certain manner; requiring the holder of a certificate of sale who receives a certain request to provide in a certain manner certain information within a certain number of days; prohibiting a holder of a certificate of sale who receives a certain request from filing a complaint to foreclose the right of redemption on certain owner-occupied residential property in Baltimore City until a certain amount of time has passed; providing that a certain payoff amount provided by the holder of a certificate of sale for owner-occupied residential property in Baltimore City shall be deemed valid for a certain period of time; prohibiting the application of certain restrictions on the filing of a complaint to foreclose the right of redemption for certain owner-occupied residential property in Baltimore City under certain circumstances; altering the amount of time that has to

pass before a holder of a certificate of sale of certain owner-occupied residential property in Baltimore City may be reimbursed for certain expenses when the property is redeemed; prohibiting a plaintiff or holder of a certificate of sale of certain owner-occupied residential property in Baltimore City from being reimbursed for certain expenses incurred before a certain period of time has passed; authorizing the Mayor and City Council of Baltimore City to establish, by law, a process to make property redemption payments for certain owner-occupied residential properties by installment; requiring a court to include certain information in a final order in an action to foreclose the right of redemption of certain owner-occupied residential property in Baltimore City; ~~altering the amount of a lien for unpaid water and sewer service which would authorize Baltimore City to sell the property at a tax sale; authorizing Baltimore City to sell certain owner-occupied residential property at a tax sale for a certain lien for unpaid water and sewer service under certain circumstances; defining a certain term; providing for the application of this Act; making conforming changes; and generally relating to tax sales of certain owner-occupied residential property in Baltimore City.~~

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14-801, 14-811, 14-828(a), 14-833, 14-843, 14-844, and 14-849.1

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1087 – Delegates Clippinger, B. Barnes, Conaway, Fennell, Frick, Kelly, Kramer, Luedtke, Platt, S. Robinson, Rosenberg, Vaughn, Waldstreicher, A. Washington, M. Washington, and C. Wilson

AN ACT concerning

Electricity – Community Solar Energy Generating System Program

FOR the purpose of establishing a pilot program on community solar energy generating systems under the authority of the Public Service Commission; providing for the structure and operation of the program, including the generation of electricity and allocation of costs to subscribers to a community solar energy generating system; ~~authorizing an electric company to submit a petition to own and operate a community solar energy generating system to the Commission; authorizing the Commission to approve a petition if the Commission makes a certain determination; requiring the Commission to approve or deny a petition within a certain period of time; specifying when an electric company may recover the costs associated with developing and owning a community solar energy generating system through base rates; requiring an electric company to sell certain services and attributes associated with the community solar energy generating system; requiring an electric company to use a certain method to refund or credit certain proceeds to ratepayers; requiring the Commission to determine an appropriate method for an electric company to~~

~~distribute its proceeds to ratepayers; providing for the beginning and termination of the pilot program; requiring the Commission to adopt certain regulations by a certain date; providing for the continuation of certain contracts under certain circumstances; providing for the inclusion of certain generation in a certain limitation; defining certain terms; stating certain findings of the General Assembly; requiring the Public Service Commission to study certain matters and report its findings to certain committees on or before a certain date; and generally relating to a program for community solar energy generating systems.~~

BY adding to

Article – Public Utilities

Section 7–306.1

Annotated Code of Maryland

(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1105 – Delegates Zucker, Kelly, McIntosh, B. Barnes, Barve, Gaines, Hammen, Haynes, Hixson, Jones, ~~and A. Miller~~ A. Miller, Beitzel, Carozza, Chang, Ciliberti, Ghrist, Grammer, Gutierrez, Hettleman, Jackson, Korman, Krimm, Lierman, McKay, B. Robinson, Sophocleus, Vogt, Wivell, P. Young, Kipke, and Szeliga

AN ACT concerning

**Disabled Individuals – Task Force on the Maryland ABLE Program –
Established**

~~FOR the purpose of requiring the College Savings Plans of Maryland Board to establish the Maryland ABLE Program for certain purposes subject to certain provisions; requiring the Board to oversee the administration of the Maryland ABLE Program; altering the membership of the Board; requiring the Board to maintain the Maryland ABLE Program in compliance with certain standards; requiring the Board to adopt certain procedures; requiring the Board to issue certain statements to account holders at least once each year; authorizing the Board to issue certain requests for proposals; requiring the Board to consider proposals that meet certain criteria; authorizing the Board to require certain fees; establishing certain limitations and requirements for contributions to and administration of the Maryland ABLE Program; establishing participation and distribution requirements; providing that neither the faith and credit nor the taxing power of the State is pledged to the payment of debts, contracts, and obligations of the Maryland ABLE Program; providing that certain entities are not liable for certain losses; prohibiting certain money from being considered or commingled with certain money or deposited in the State Treasury; exempting certain entities and accounts from the Insurance Article; providing that the assets and the income of the Maryland ABLE Program are exempt from State and local taxation; prohibiting a person from seizing a certain benefit or asset; requiring certain audits; altering a certain power of attorney form; allowing a~~

~~subtraction modification under the State income tax for certain contributions to an account under the Maryland ABLE Program; allowing certain amounts disallowed under the subtraction modification as a result of a certain limitation to be carried over and subtracted for succeeding taxable years; requiring an addition modification for certain distributions made under certain accounts; making conforming changes; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to the College Savings Plans of Maryland and Maryland ABLE Program.~~

FOR the purpose of establishing a Task Force on the Maryland Achieving a Better Life Experience (ABLE) Program; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on the Maryland ABLE Program.

~~BY repealing and reenacting, with amendments,
Article — Education
Section 18-1901, 18-1902.1, 18-1904(b) and (c), 18-1905(d)(3), (e), and (f),
18-19A-05, and 18-19B-05
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)~~

~~BY adding to
Article — Education
Section 18-19C-01 through 18-19C-08 to be under the new subtitle “Subtitle 19C-
Maryland ABLE Program”
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Estates and Trusts
Section 17-203
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Tax — General
Section 10-205(a), 10-207(a), and 10-208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)~~

~~BY adding to
Article — Tax — General
Section 10-205(l), 10-207(cc), and 10-208(v)~~

~~Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)~~

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 1111 – Chair, Ways and Means Committee (By Request – Departmental
– Lottery and Gaming Control Agency)**

AN ACT concerning

**Video Lottery Facility – Areas Prohibited to Individuals Under the Age of 21
Years – Employee Exception**

FOR the purpose of altering a prohibition on certain individuals entering and remaining in an area within a video lottery facility designated for table game or video lottery terminal activities to allow an adult who is a video lottery employee to work in the area; and generally relating to a prohibition on certain individuals entering or remaining in an area within a video lottery facility designated for certain activities.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–136
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–24(c)
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 1113 – Chair, Ways and Means Committee (By Request – Departmental
– Lottery and Gaming Control Agency)**

AN ACT concerning

**Video Lottery Facilities – Operation and Employee Licenses – Crimes or Acts of
Moral Turpitude or Gambling**

FOR the purpose of altering the circumstances under which the State Lottery and Gaming Control Commission must disqualify an applicant for certain licenses due to the commission of a crime involving moral turpitude or a gambling offense; expanding the requirement to disqualify ~~an applicant~~ certain applicants due to certain crimes or offenses to include crimes or offenses occurring in certain jurisdictions; limiting, to a certain period, the requirement that ~~an applicant~~ certain applicants be

disqualified for the commission of certain acts that are not prosecuted; altering the requirement that an applicant be disqualified for the commission of a certain act that is not prosecuted; and generally relating to applicants for video lottery operation licenses and video lottery employee licenses.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–08(d) and 9–1A–14(c)
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 1130 – Delegates Carter, Anderson, Clippinger, Conaway, Dumais,
Gutierrez, Moon, Morales, Pena–Melnyk, and Vallario**

AN ACT concerning

**Vehicle Laws – Driving Without a License or While License is Suspended –
Penalties**

FOR the purpose of altering the maximum penalty for driving a motor vehicle while a person’s license or privilege to drive is suspended under certain provisions of State law relating to the lapse of required security, noncompliance with traffic citations, and nonpayment of fines; altering the maximum penalty for driving a motor vehicle while a person’s license or privilege to drive is suspended by another state for failure to comply with a certain notice to appear in court or to pay a certain fine; altering the maximum penalty for driving on a highway without a license; and generally relating to penalties for driving without a license or while a person’s license or privilege to drive is suspended.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 27–101(c) and (y)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Transportation
Section 27–101(ff)
Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1133 – Delegates Walker, D. Barnes, C. Howard, Jackson, and A. Washington

AN ACT concerning

Task Force to Study the Warrant Intercept Program for Maryland Income Tax Refunds

FOR the purpose of establishing the Task Force to Study the Warrant Intercept Program for Maryland Income Tax Refunds; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Warrant Intercept Program for Maryland Income Tax Refunds.

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1137 – Delegates Shoemaker, Buckel, ~~and McKay~~ McKay, Afzali, D. Barnes, Ebersole, Fennell, Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Metzgar, Patterson, Platt, Reilly, Simonaire, Tarlau, Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

Primary Education – ~~State Standardized Prekindergarten Through Grade 2 State Assessments – Moratorium~~ Required Study

FOR the purpose of ~~requiring the State Board of Education to place a moratorium on State standardized assessments in prekindergarten through grade 2 during certain school years; providing that a public school may not be required to administer a certain assessment during a certain time; making a certain exception for the administration of a pilot State standardized assessment in conjunction with a certain report;~~ requiring the State Board of Education, in consultation with certain stakeholders, to report to certain committees of the General Assembly on or before a certain date; ~~providing for the termination of this Act;~~ and generally relating to a ~~moratorium on study of certain~~ State standardized assessments.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1178 – Delegate Lafferty**EMERGENCY BILL**

AN ACT concerning

Recordation and Transfer Taxes – Exemption – Purchase Money Mortgage or Purchase Money Deed of Trust

FOR the purpose of providing certain exemptions under the recordation tax and State transfer tax for a certain purchase money mortgage or certain purchase money deed of trust related to a transfer from a certified community development financial institution under certain circumstances; providing for the application of this Act; making this Act an emergency measure; and generally relating to exemptions under the recordation tax and State transfer tax for certain purchase money mortgages or purchase money deeds of trust.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–108(ff)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 13–207(a)(24)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1185 – Delegate Dumais

AN ACT concerning

Family Law – Application for Divorce – Residency Requirement

FOR the purpose of reducing the period of time, under certain circumstances, that a party to an application for divorce must reside in the State before the application may be filed; and generally relating to applications for divorce.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 7–101(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1239 – Delegates Lierman, Vallario, Dumais, Anderson, Atterbeary, Barron, Morales, Rosenberg, Smith, Sydnor, and Valentino-Smith

AN ACT concerning

Civil Penalties for Shoplifting and Employee Theft – Repeal

FOR the purpose of repealing certain provisions establishing liability to a merchant for civil penalties for shoplifting and employee theft; and generally relating to civil penalties for shoplifting and employee theft.

BY repealing

Article – Courts and Judicial Proceedings

Section 3-1301 through 3-1308 and the subtitle “Subtitle 13. Civil Penalties for Shoplifting and Employee Theft”

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 9 – ~~Delegate Kelly~~ Delegates Kelly, Afzali, Grammer, Korman, McMillan, Moon, Morhaim, Parrott, Stein, Valderrama, Vogt, Hayes, Oaks, Pena-Melnyk, Miele, Saab, Morgan, Pendergrass, Hammen, Kipke, Cullison, Sample-Hughes, Barron, Reznik, West, Rose, Hill, Krebs, and K. Young

AN ACT concerning

Maryland ~~Home Birth Safety~~ Licensure of Direct-Entry Midwives Act

FOR the purpose of establishing a licensing and regulatory system for the practice of direct-entry midwifery under the State Board of Nursing; establishing the Direct-Entry Midwifery Advisory Committee within the Board; providing for the composition, qualifications, chair, term, quorum, meeting requirements, compensation, reimbursement, and removal of members of the Committee; providing for the duties of the Committee; requiring the Committee, beginning on a certain date, to submit a certain annual report to the Board; including certain midwives under the jurisdiction of a certain rehabilitation committee; requiring the Board to give certain persons a hearing before taking certain actions; requiring certain midwives to notify certain ~~providers~~ health care practitioners of certain births, transfer certain records, make certain recommendations, develop certain plans for certain patients, obtain certain informed consent agreements that acknowledge certain items from certain patients, comply with certain data collection and reporting requirements, complete and submit certain birth certificates, make certain records and information available to certain individuals, and display a certain notice under

certain circumstances; requiring certain midwives to consult with certain health care ~~providers~~ practitioners under certain circumstances, arrange for emergency transfer under certain circumstances, ~~and~~ refer and transfer care of certain patients under certain circumstances, and complete certain forms; authorizing certain licensed direct-entry midwives to continue certain care of certain patients in consultation with certain health care practitioners; requiring the Committee to review and approve recommend approval to the Board of certain plans; requiring certain plans to be provided to certain hospitals; requiring the Board, in consultation with certain parties, to develop a certain form for use during certain transfers; ~~prohibiting certain midwives from offering a certain service except under certain circumstances~~ requiring the Board, in consultation with stakeholders, to develop a certain consent agreement; requiring, beginning on a certain date, a licensed direct-entry midwife to annually report certain information to the Committee in a certain form; requiring the Committee to maintain the confidentiality of certain reports; requiring the Board to send a certain notice to certain licensed direct-entry midwives under certain circumstances; prohibiting the Board from renewing the license of certain licensed direct-entry midwives, under certain circumstances, or taking other action against certain licensed direct-entry midwives for the failure to submit certain reports; specifying the qualifications for a license to practice direct-entry midwifery; specifying the procedure for applying for a license to practice direct-entry midwifery; requiring the Board to set certain fees for the issuance and renewal of certain licenses and services; requiring the Board to pay certain fees to the Comptroller of the State; requiring the fees to be used for a certain purpose; ~~authorizing the Board to waive certain education and training requirements under certain circumstances~~; requiring the Board to issue certain licenses and to include a certain designation on each license; requiring the Board to consider certain factors on receipt of certain criminal history record information in making certain determinations; specifying the scope of a license issued under this Act; providing for the expiration and renewal of a license to practice direct-entry midwifery; requiring the Board to send to the licensee a certain renewal notice at a certain time and in a certain manner; requiring certain continuing education, peer review, and data submission as a condition of license renewal; requiring the Board to place certain licensees on inactive status and to reactivate and reinstate certain licenses under certain circumstances; prohibiting the Board from reinstating certain licenses under certain circumstances; requiring certain licensees to submit to additional criminal history records checks at specified intervals; prohibiting certain midwives from surrendering certain licenses except under certain circumstances; prohibiting certain licenses from lapsing by operation of law under certain circumstances; authorizing the Board to set certain conditions to accept the surrender of certain licenses; authorizing the Board to deny certain licenses, reprimand or place on probation certain licensees, or suspend or revoke certain licenses under certain circumstances, subject to certain hearing provisions; authorizing the Board to impose a certain penalty; prohibiting certain individuals from making certain representations or using certain abbreviations or designations unless authorized to practice direct-entry midwifery in the State; prohibiting certain licensees from advertising in a certain manner; providing for the scope of this Act; providing certain ~~health care providers~~ persons with certain immunity from civil liability under certain circumstances; providing certain penalties for the violation of

certain provisions of this Act; providing a short title for certain provisions of this Act; ~~subjecting certain provisions of this Act to the Maryland Program Evaluation Act and a certain full evaluation under certain circumstances;~~ specifying the terms of the initial members of the Committee; requiring the Board, beginning on a certain date and every year thereafter, to submit a certain report to certain committees of the General Assembly on or before a certain date regarding the practice of direct entry midwifery in the State; defining certain terms; altering ~~a~~ a certain definition definitions; requiring the Committee, with the approval of the Board, to convene a certain workgroup to develop a certain form, a certain consent agreement, and a certain formulary; providing for the composition and duties of the workgroup; requiring the workgroup to report its findings and recommendations to the Board on or before a certain date; requiring the Department of Legislative Services, on or before a certain date, to compile and analyze certain data, report on the data to certain committees of the General Assembly, and provide the data to the Board; requiring the Board to adopt certain regulations on or before a certain date; ~~providing for the termination of certain provisions of this Act under certain circumstances;~~ and generally relating to the licensure and regulation of direct-entry midwives by the State Board of Nursing.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19-301(f)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8-208 and 8-317(a)

Annotated Code of Maryland

(2014 Replacement Volume)

BY adding to

Article – Health Occupations

Section ~~8-6C-01, 8-6C-02, 8-6C-02.1, 8-6C-02.2, and 8-6C-03~~ through 8-6C-26 to be under the new subtitle “Subtitle 6C. Direct-Entry Midwives”; and 8-701(e-1)

Annotated Code of Maryland

(2014 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8-405(b)(3)

Annotated Code of Maryland

(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 90 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – ~~Waiver of License Requirements~~
MC 17-15**

FOR the purpose of ~~authorizing the Montgomery County Board of License Commissioners, on the affirmative vote of a certain number of members, to waive~~ providing that an applicant who is a resident of the State meets certain registered voter and residency requirements for an applicant for an alcoholic beverages license if the application is made for a partnership; authorizing the Board, on the affirmative vote of a certain number of members, to waive providing that an applicant who is a resident of the State meets certain registered voter, taxpayer, and residency requirements for an applicant for an alcoholic beverages license if the application is made for a certain corporation or club; authorizing the Board, on the affirmative vote of a certain number of members, to waive providing that an applicant who is a resident of the State meets certain registered voter, taxpayer, and residency requirements for an applicant for an alcoholic beverages license if the application is made for a limited liability company; authorizing the Board, on the affirmative vote of a certain number of members, to waive providing that an applicant who is a resident of the State meets a certain residency requirement for an applicant for an alcoholic beverages license; requiring the Board to obtain certain criminal records of an applicant for an alcoholic beverages license from a certain local police department under certain circumstances; and generally relating to ~~waivers of requirements for alcoholic beverages licenses in Montgomery County.~~

BY repealing and reenacting, without amendments,
 Article 2B – Alcoholic Beverages
 Section 9-101(a)(1)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
 Article 2B – Alcoholic Beverages
 Section 9-101(a)(2)(i), (b)(1), and (c)(1) and 10-103(b)(4) ~~and (13)(iv)~~
 Annotated Code of Maryland
 (2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 121 – Delegates Anderson, Vallario, Carter, Conaway, Jalisi, Kittleman, Lierman, Luedtke, Moon, Morales, Oaks, B. Robinson, Rosenberg, Smith, Sydnor, and M. Washington

AN ACT concerning

Criminal Procedure – Drug-Related Offenses – Repeal of Mandatory Minimum Sentences for Second-Time Offenders

FOR the purpose of repealing certain mandatory minimum sentences for certain drug-related offenses; specifying that a person convicted of certain drug-related offenses is not prohibited from participating in a certain drug treatment program; ~~providing that a person who is serving a term of confinement that includes a mandatory minimum sentence imposed on or before a certain date is entitled to a certain hearing and a certain sentence review; requiring that a person who seeks a hearing or sentence review submit an application on or before a certain date; altering certain penalties; repealing a prohibition against a person possessing a regulated firearm if the person was previously convicted of certain drug-related offenses; providing for the prospective application of this Act; and generally relating to penalties for drug-related offenses.~~

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 5-602, 5-603, 5-604, 5-605, ~~and~~ 5-606, 5-608(a), and 5-609(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5-607, ~~5-608, and 5-609~~ 5-608(b), and 5-609(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Public Safety~~

~~Section 5-133(e)~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2014 Supplement)~~

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 375 – ~~Delegate Cullison~~ Delegates Cullison, Hammen, Hayes, McMillan, Oaks, Pena-Melnyk, Miele, Saab, Kelly, McDonough, Bromwell, Morgan, Morhaim, Pendergrass, Kipke, Sample-Hughes, Barron, Reznik, West, Rose, Hill, Krebs, and K. Young

AN ACT concerning

Education – Maryland Council on Advancement of School-Based Health Centers

FOR the purpose of repealing the Maryland School Board Health Center Policy Advising Committee and establishing the Maryland Council on Advancement of School–Based Health Centers; specifying the duties of the Council; providing for the composition, chair, and staffing of the Council; authorizing the State Department of Education to seek the assistance of certain organizations to provide certain staffing resources; prohibiting a member of the Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Council to study and make recommendations regarding certain matters; requiring the Council to report its findings and recommendations to certain State agencies and the General Assembly on or before a certain date each year; requiring the Council to include certain recommendations in a certain report that is due on a certain date; repealing obsolete provisions of law; specifying the terms of the initial members of the Council; requiring the Department to formalize certain duties in writing under certain circumstances; and generally relating to the Maryland Council on Advancement of School–Based Health Centers.

BY repealing

Article – Education

Section 7–4A–01 and 7–4A–05

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

BY adding to

Article – Education

Section 7–4A–01 and 7–4A–05

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–4A–02, 7–4A–03, and 7–4A–04

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 533 – Delegates Sydnor, Anderson, Bromwell, Brooks, Cluster, Haynes, Jalisi, Lam, McCray, Moon, Morales, Smith, Stein, Vallario, A. Washington, C. Wilson, ~~and P. Young~~ P. Young, Conaway, ~~Carr, Korman,~~ Waldstreicher, Kittleman, and B. Wilson

AN ACT concerning

Wiretapping and Electronic Surveillance – Body–Worn Digital Recording Device and Electronic Control Device – Exception

FOR the purpose of establishing that it is lawful under a certain provision of law for a law enforcement officer to intercept a certain oral communication with a certain device under certain circumstances; defining certain terms; and generally relating to the interception of oral communications.

BY adding to

Article – Courts and Judicial Proceedings
Section 10–402(c)(11)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 535 – Delegates Turner, Anderson, Angel, Atterbeary, Barkley, Carr, Conaway, Dumais, Ebersole, Fraser–Hidalgo, Frush, Gilchrist, Glass, Glenn, Haynes, Hill, Hixson, C. Howard, Impallaria, Jackson, Kaiser, Kelly, Kramer, Lam, Lierman, Luedtke, McCray, A. Miller, O’Donnell, Pendergrass, Proctor, Reznik, S. Robinson, Rosenberg, Stein, A. Washington, and M. Washington

AN ACT concerning

**Blind or Visually Impaired Children – Individualized Education Programs –
Orientation and Mobility Instruction**

FOR the purpose of requiring certain individualized education programs for certain blind or visually impaired children to include certain orientation and mobility instruction under certain circumstances; establishing a certain process for a certain individualized education program team to make a certain determination as to whether certain orientation and mobility instruction is appropriate for a certain child and to include it in a certain child’s individualized education program; requiring certain orientation and mobility ~~evaluations~~ assessments to be ~~provided~~ conducted under certain circumstances; requiring a certain orientation and mobility ~~evaluation~~ assessment to contain, at a minimum, certain content; requiring certain local school systems to provide certain parents and guardians with a certain verbal and written notice at a certain time; requiring certain orientation and mobility instruction to be provided by a certain qualified individual; requiring the State Department of Education to adopt certain regulations and provide certain guidelines on or before certain dates; defining certain terms; making certain stylistic changes; and generally relating to orientation and mobility instruction in individualized education programs for blind or visually impaired children.

BY repealing and reenacting, with amendments,

Article – Education
Section 8–408
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 630 – Delegate Jameson

AN ACT concerning

Transportation – Mechanical Repair Contracts

FOR the purpose of altering the definition of “mechanical repair contract” and defining “obligor” for purposes of certain provisions of law establishing requirements for mechanical repair contracts and persons who sell or offer them; establishing that an agreement or contract sold by ~~the person obligated under the agreement or contract~~ a certain obligor may be a mechanical repair contract under certain circumstances; specifying services that may be offered under a mechanical repair contract; establishing that certain warranties under a certain federal law ~~and~~ agreements for regular maintenance, and agreements between certain motor clubs and their members or subscribers are not mechanical repair contracts; ~~establishing requiring~~ that a mechanical repair contract is not required to be filed for approval with the Insurance Commissioner; broadening the application of a certain provision of law to establish that certain consumer protection laws apply to any mechanical repair contract sold in the State, not just those sold by a licensed vehicle dealer; establishing that a certain obligor has the same obligation as a seller under a certain provision of law; requiring a certain obligor to file a certain mechanical repair contract with the Commissioner and to provide certain evidence with the filing; establishing that a certain filing is not subject to approval by the Commissioner; providing for a certain cease and desist order; requiring that certain persons that sell mechanical repair contracts register with the Commissioner and provide certain information as part of the registration; requiring an obligor to provide a certain notice under certain circumstances; establishing a certain annual registration fee; prohibiting a person who is not a registered obligor under this Act from offering, selling, or negotiating a mechanical repair contract; authorizing the Commissioner to pursue a certain action; establishing that a mechanical repair contract may not provide certain indemnification under certain circumstances; establishing that certain persons that comply with this Act and certain provisions of law are not required to comply with certain provisions of law relating to insurance; establishing certain requirements relating to registering with the Commissioner; establishing certain penalties; prohibiting certain persons ~~who~~ that sell mechanical repair contracts from making certain false, deceptive, or misleading statements; making stylistic and conforming changes; and generally relating to mechanical repair contracts.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 15–311.2

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY adding to

Article – Transportation

Section 27–101(ff)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 670 – Delegates Frick, Barkley, Kelly, Lam, and Zucker

AN ACT concerning

Commercial Law – Consumer Protection – Ticket Transfers

FOR the purpose of prohibiting a ticket seller or an operator of a ticket seller's Web site from prohibiting the transfer of a certain ticket, requiring an additional fee for the transfer of a certain ticket, or requiring a purchaser of a ticket to present certain identification or a certain credit card to gain entry to an entertainment event unless a certain notice is provided; providing for the application of this Act; and generally relating to the purchase and transfer of tickets.

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 14–4001

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

BY adding to

Article – Commercial Law

Section 14–4002.1

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 780 – Delegates McComas, Arentz, Carozza, Cassilly, Chang, Kittleman, Krebs, Lam, Mautz, McConkey, McMillan, Metzgar, Miele, Platt, B. Robinson, S. Robinson, Shoemaker, Szeliga, Vogt, and B. Wilson

AN ACT concerning

Task Force on the Prevention of Child Abuse and Neglect

FOR the purpose of establishing the Task Force on the Prevention of Child Abuse and Neglect; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but

authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to child abuse and neglect.

Read the first time and referred to the Committee on Judicial Proceedings.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #24**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 755 – Senator Simonaire

AN ACT concerning

Election Law – Campaign Finance – Central Committee Candidates

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 758 – Senator Kagan

AN ACT concerning

**State Government – Equal Access to Public Services for Individuals With
Limited English Proficiency – Web Sites**

SB0758/634933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 758

(First Reading File Bill)

On page 1, in line 7, after “languages” insert “subject to a certain exception”.

On page 2, in line 25, after “(C)” insert “(1)”; in the same line, strike “BEGINNING” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, BEGINNING”; and after line 30, insert:

“(2) A UNIT OF LOCAL GOVERNMENT IS ENCOURAGED TO TAKE THE STEPS UNDER PARAGRAPH (1) OF THIS SUBSECTION, BUT MAY NOT BE REQUIRED TO DO SO.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 816 – Senator Rosapepe

AN ACT concerning

**Higher Education – Low-Income Student Outreach and College Access Act of
2015**

SB0816/464339/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 816

(First Reading File Bill)

On page 1, strike beginning with “requiring” in line 11 down through “purpose;” in line 12; and in line 17, strike “11–1107” and substitute “11–1106”.

On page 4, strike in their entirety lines 12 through 15, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 829 – Senator Conway

AN ACT concerning

**Audiologists and Speech–Language Pathologists – Licensure Exemption –
Clinical Training**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 852 – Senators Young, Kagan, Klausmeier, Montgomery, and Ready

AN ACT concerning

**Public Information Act – List of Contact Information for Governmental Unit
Representatives**

SB0852/794531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 852
(First Reading File Bill)

On page 2, strike in its entirety line 6; and in lines 7 and 9, strike “(V)” and “(VI)”, respectively, and substitute “(IV)” and “(V)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 864 – Senator Klausmeier

AN ACT concerning

**State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration
Contractors – Cease and Desist Orders – Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 865 – Senator Peters

AN ACT concerning

**Edward T. and Mary A. Conroy and Jean B. Cryor Memorial Scholarship
Programs – Eligibility**

SB0865/354132/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 865

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Peters” and substitute “Senators Peters and Waugh”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #25**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 313 – Senator Ramirez

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Underage Individuals at Special Entertainment Events

SB0313/884536/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 313

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Events” insert “in the 47th Legislative District”; in line 4, after “license” insert “in the 47th legislative district”; and in line 7, after “events” insert “in the 47th legislative district”.

AMENDMENT NO. 2

On page 3, in line 25, after “HOLDER” insert “IN THE 47TH LEGISLATIVE DISTRICT”.

On page 4, in line 24, strike “SUBSUBPARAGRAPH” and substitute “SUBSUBPARAGRAPHS”; in line 25, after “3” insert “AND 4”; and strike beginning with “18” in line 27 down through “ARTICLE,” in line 30 and substitute “21 years”.

On page 5, after line 3, insert:

“4. A PERMIT HOLDER IN THE 47TH LEGISLATIVE DISTRICT WHO HOLDS A CLASS B BEER, WINE, AND LIQUOR LICENSE MAY ALLOW AN INDIVIDUAL WHO IS 18 YEARS OF AGE OR OLDER ON THE PREMISES FOR WHICH THE PERMIT IS ISSUED WHEN THE PRIVILEGES AUTHORIZED BY THE PERMIT ARE BEING EXERCISED.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 369 – Senator Rosapepe

AN ACT concerning

Prince George’s County – City of College Park – Class D Beer and Wine License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 423 – Senator Rosapepe

AN ACT concerning

Alcoholic Beverages – Towne Centre at Laurel – Class A License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 426 – Senator Madaleno

AN ACT concerning

Montgomery County – Alcoholic Beverages – Waiver of License Requirements

SB0426/444934/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 426

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Waiver of”; strike beginning with “authorizing” in line 3 down through “waive” in line 4 and substitute “providing that an applicant who is a resident of the State meets”; strike beginning with “authorizing” in line 6 down through “waive” in line 7 and substitute “providing that an applicant who is a resident of the State meets”; strike beginning with “authorizing” in line 9 down through “waive” in line 10 and substitute “providing that an applicant who is a resident of the State meets”; strike beginning with

“authorizing” in line 12 down through “waive” in line 13 and substitute “providing that an applicant who is a resident of the State meets”; strike beginning with “requiring” in line 14 down through “circumstances;” in line 17; in line 17, strike “waivers of”; and in line 26, strike “and (13)(iv)”.

AMENDMENT NO. 2

On page 2, in line 14, strike “1.”; strike beginning with “registered” in line 16 down through “made” in line 17 and substitute “RESIDENT OF THE STATE”; in line 18, strike “2.”; strike beginning with “registered” in line 19 down through “made” in line 20 and substitute “RESIDENT OF THE STATE”; strike in their entirety lines 21 through 24, inclusive; and strike beginning with “ON” in line 32 down through “WAIVE” in line 34 and substitute “AN INDIVIDUAL WHO IS A RESIDENT OF THE STATE MEETS”.

On page 3, strike beginning with “ON” in line 12 down through “WAIVE” in line 14 and substitute “AN INDIVIDUAL WHO IS A RESIDENT OF THE STATE MEETS”.

On page 4, strike beginning with “ON” in line 1 down through “WAIVE” in line 3 and substitute “AN INDIVIDUAL WHO IS A RESIDENT OF THE STATE MEETS”; and strike in their entirety lines 5 through 18, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 715 – Senator Edwards

AN ACT concerning

Alcoholic Beverages – Garrett County – Multiple Event License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 719 – Senators Ready, Hough, and Bates

AN ACT concerning

Carroll County – Alcoholic Beverages – Hours of Sale on Sundays for Holders of Class A Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 750 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Conversion of Class P Licenses

SB0750/984936/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 750

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 20, strike “**ON- AND OFF-SALE PRIVILEGES**” and substitute “**ON-SALE PRIVILEGES, AS PROVIDED FOR UNDER § 8-222.1 OF THIS ARTICLE,**”; and strike beginning with “**ON-SALE**” in line 21 down through “**ARTICLE,**” in line 22 and substitute “**ON- AND OFF-SALE PRIVILEGES**”.

AMENDMENT NO. 2

On page 2, in line 31, strike “**ON- AND OFF-SALE PRIVILEGES**” and substitute “**ON-SALE PRIVILEGES, AS PROVIDED FOR UNDER § 8-222.1 OF THIS ARTICLE,**”.

On page 3, strike beginning with “**ON-SALE**” in line 1 down through “**ARTICLE,**” in line 2 and substitute “**ON- AND OFF-SALE PRIVILEGES**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 818 – Senators Nathan–Pulliam and Pugh

AN ACT concerning

Alcoholic Beverages – Baltimore City – Class BWLT License

SB0818/294633/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 818

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Pugh” and substitute “, Pugh, and Ferguson”; in line 2, strike “Class BWLT License” and substitute “Transfer or Issuance of Licenses”; in line 5, after “City;” insert “making a certain exception to a certain prohibition against the transfer or issuance of an alcoholic beverages license near a church or school; authorizing the Board of Liquor License Commissioners for Baltimore City to issue or allow the transfer of a certain license for a proposed establishment in a certain location only if the Board of Liquor License Commissioners has executed a certain memorandum of understanding with a certain community association and enforces a certain memorandum of understanding under certain circumstances;”; in line 9, after “8–403.2” insert “and 9–204.1(f)(6)”; and after line 11, insert:

“BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 9–204.1(a), (b), and (f)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 20, insert:

“9–204.1.

(a) In this section, “Board” means the Board of Liquor License Commissioners for Baltimore City.

(b) This section applies only in Baltimore City.

(f) (1) This subsection applies only in the 46th alcoholic beverages district.

(6) (i) Except as provided in subparagraph (ii) of this paragraph, the Board may not transfer or issue a license if the transfer or issuance would result in:

1. The licensed premises being located within 300 feet of the nearest point of a church or a school; or

2. The licensed premises being located closer to the nearest point of a church or a school than the licensed premises was on June 1, 2004.

(ii) This paragraph does not apply to a licensed restaurant in:

1. Ward 4, precinct 1;

2. Ward 22, precinct 1; [or]

3. A residential planned unit development for Silo Point as approved by the Mayor and City Council of Baltimore City in Ordinance 04–697 on June 23, 2004; OR

4. SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE AREA BOUNDED AS FOLLOWS: FROM THE INTERSECTION OF WEST OSTEND STREET AND RACE STREET, NORTH ON RACE STREET TO SELDNER PLACE, THEN EAST ON SELDNER PLACE TO CLARKSON STREET, THEN NORTH ON CLARKSON STREET TO WEST CROSS STREET, THEN EAST ON WEST CROSS STREET TO SOUTH HANOVER STREET, THEN NORTH ON SOUTH HANOVER STREET TO RACE STREET (ALSO KNOWN AS WINTER STREET), THEN WEST/SOUTHWEST ON RACE STREET TO WEST CROSS STREET, THEN WEST ON WEST CROSS STREET TO LEADENHALL STREET, THEN SOUTH ON LEDENHALLL STREET TO WEST OSTEND STREET, THEN EAST ON WEST OSTEND STREET BACK TO THE INTERSECTION OF WEST OSTEND STREET AND RACE STREET.

(III) FOR A PROPOSED ESTABLISHMENT THAT IS LOCATED WITHIN 300 FEET OF THE NEAREST POINT OF A CHURCH OR SCHOOL, THE BOARD MAY ISSUE OR ALLOW THE TRANSFER OF A LICENSE INTO THE AREA DESCRIBED IN SUBPARAGRAPH (II)4 OF THIS PARAGRAPH ONLY IF:

1. THE BOARD HAS EXECUTED A MEMORANDUM OF UNDERSTANDING WITH A COMMUNITY ASSOCIATION IN THE AREA DESCRIBED IN SUBPARAGRAPH (II)4 OF THIS PARAGRAPH REGARDING THE NATURE OF THE PROPOSED ESTABLISHMENT; AND

2. THE BOARD ENFORCES THE MEMORANDUM OF UNDERSTANDING AGAINST ANY LICENSE HOLDER THAT OBTAINS A LICENSE UNDER SUBPARAGRAPH (II)4 OF THIS PARAGRAPH AND SEEKS TO RENEW OR TRANSFER THE LICENSE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 866 – Senator Peters

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Licenses, Salaries, and Inspectors

SB0866/164039/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 866

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and”; in line 3, after “Inspectors” insert “, and Bottle Clubs”; in line 11, after “license;” insert “establishing a special Sunday off–sale permit in

Prince George’s County; authorizing the Board of License Commissioners to issue the permit to certain license holders; authorizing the permit holder to sell certain alcoholic beverages during a certain time on Sunday for consumption off the licensed premises; establishing a certain fee for the permit; authorizing the Board to adopt certain regulations;”; in line 12, strike “chair” and substitute “chairman”; in line 13, strike “County”; in the same line, strike “of License Commissioners”; in line 14, after “inspector;” insert “providing that inspectors have the authority to order that a bottle club be closed under a certain provision of this Act; authorizing the Board or an inspector to order that a bottle club be closed immediately under certain circumstances; requiring, under certain circumstances, the Board or a certain inspector to give the owner or operator of a certain bottle club certain notice; requiring the Board to hold a certain hearing within a certain time period; requiring the Board at a certain hearing to determine whether a certain threat continues to exist; authorizing, except under certain circumstances, the Board, after making a certain determination, to order a certain bottle club to permanently close or impose certain conditions for reopening the bottle club; requiring the Board, under certain circumstances, to order a certain bottle club to be permanently closed; authorizing the Board to impose a certain fine on a certain person; authorizing an owner or operator of a bottle club who is aggrieved by a certain decision to petition for judicial review to a circuit court;”; in line 15, after “changes;” insert “providing for the application of a certain provision of this Act;”; in line 19, strike “9–217(e) and (f)(3)” and substitute “9–217(f)(3), 11–517(b) and (f)”; in lines 19 and 20, strike “and 15–112(r)(3)” and substitute “15–112(r)(3), and 20–108.1”; in line 25, after “(f)(5)” insert “, 11–517(a),”; and after line 27, insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9–217(e)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

(As enacted by Chapter 144 of the Acts of the General Assembly of 2013)

BY adding to

Article 2B – Alcoholic Beverages

Section 11–517(l)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 6, after line 29, insert:

“11-517.

(a) This section applies only in Prince George’s County.

(b) (1) (i) A holder of any retail “on-sale” alcoholic beverage license or any agent, servant or employee of a holder of any “on-sale” alcoholic beverage license may not sell or serve any alcoholic beverages for consumption on the licensed premises or permit any alcoholic beverages to be consumed on the licensed premises between the hours of 2:00 a.m. and 6:00 a.m., except as provided in subsection (c) of this section.

(ii) Holders of any “on-sale” retail alcoholic beverage license, their agents, servants, or employees may sell beer and light wine on Sunday for consumption on the licensed premises, except between the hours of 2:00 a.m. and 8:00 a.m.

(iii) Subject to paragraph (2) of this subsection, a holder of any Class B restaurant license, with or without [a] AN ON-SALE Sunday permit THAT AUTHORIZES THE HOLDER TO SELL LIQUOR BY THE GLASS, may sell beer, wine and liquor on Sunday when it falls on Christmas Eve or New Year’s Eve, except between the hours of 2:00 a.m. and 8:00 a.m.

(2) (i) Subject to subparagraph (ii) of this paragraph, a holder of a Class A retail “off-sale” alcoholic beverages license or a Class B or D alcoholic beverages license with off-sale privileges, or any agent, servant or employee of the holder, may not sell any alcoholic beverages for consumption off the licensed premises between the hours of 12:00 a.m. and 6:00 a.m.

(ii) A holder of a Class A beer, wine and liquor license or any agent, servant or employee of a holder of a Class A beer, wine and liquor license may not make any sale on Sunday after 12:00 a.m. [except when] UNLESS:

1. December 24 and 31 fall on a Sunday; OR

2. THE HOLDER OF A CLASS A BEER, WINE AND LIQUOR LICENSE HOLDS A SPECIAL SUNDAY OFF-SALE PERMIT UNDER SUBSECTION (L) OF THIS SECTION.

(f) (1) (I) [Notwithstanding any other provisions of this article, but in addition thereto] EXCEPT AS PROVIDED IN SUBSECTION (L) OF THIS SECTION AND

SUBPARAGRAPH (II) OF THIS PARAGRAPH, the holder of a CLASS B beer, wine and liquor license, [Class B, his agents, servants or employees] AND AN AGENT, A SERVANT, OR AN EMPLOYEE OF A HOLDER OF A CLASS B BEER, WINE AND LIQUOR LICENSE may not sell any alcoholic beverages for consumption off the licensed premises between the hours of 12:00 a.m. and 6:00 a.m. or on Sunday after 12:00 a.m. from any separate store established on the licensed premises as an “off-sale store” or to keep an “off-sale store” open for business on Sunday after 12:00 a.m. [except that beer]

(II) BEER and light wine only may be sold from an “off-sale” store which is attached to and a part of the licensed premises on Sunday after 8:00 a.m. until 12:00 a.m. the day following.

(2) For the [purpose] PURPOSES of this [provision] SUBSECTION, the Board of License Commissioners shall determine by reasonable standards what shall constitute an “off-sale store”.

(3) Nothing further herein shall be construed to permit sales at any time between 12:00 a.m. and 6:00 a.m. of any day.

(L) (1) THERE IS A SPECIAL SUNDAY OFF-SALE PERMIT.

(2) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE THE PERMIT TO THE HOLDER OF:

(I) ANY CLASS A LICENSE; OR

(II) A CLASS B BEER, WINE AND LIQUOR LICENSE WITH AN OFF-SALE PRIVILEGE.

(3) THE PERMIT AUTHORIZES THE SALE OF ALCOHOLIC BEVERAGES THAT THE HOLDER IS AUTHORIZED TO SELL:

(I) ON SUNDAY, FROM 8 A.M. TO MIDNIGHT; AND

(II) FOR CONSUMPTION OFF THE LICENSED PREMISES ONLY.

(4) THE ANNUAL PERMIT FEE FOR THE SPECIAL SUNDAY OFF-SALE PERMIT IS \$450, WHICH IS IN ADDITION TO THE ANNUAL FEE FOR THE CLASS A LICENSE OR CLASS B BEER, WINE AND LIQUOR LICENSE TO WHICH IT IS ATTACHED.

(5) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBSECTION.”.

AMENDMENT NO. 3

On page 8, in line 25, strike “and”; after line 25, insert:

“5. HAVE THE AUTHORITY TO ORDER THAT A BOTTLE CLUB BE CLOSED IMMEDIATELY UNDER § 20-108.1 OF THIS ARTICLE; AND”;

and in line 26, strike “5.” and substitute “6.”.

On page 9, after line 8, insert:

“20-108.1.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Bottle club” means a premises or establishment that:

1. Is subject to any license issued by the State or Prince George’s County; and

2. A. Serves, gives, dispenses, keeps, or allows to be consumed by a patron alcoholic beverages from supplies that the patron purchased, reserved, or otherwise brought to the premises or establishment; or

B. Serves, gives, dispenses, or allows to be consumed by a patron paying admission alcoholic beverages from supplies purchased or otherwise brought to the premises or establishment by an owner or operator or an agent of an owner or operator.

(ii) “Bottle club” includes a restaurant, hotel, club, room, dance studio, disco, place of public entertainment, or other place open to the public.

(iii) “Bottle club” does not include any establishment for which a license for the premises has been issued under the provisions of this article.

(3) “Place of public entertainment” means a business establishment that does not hold a license under this article and that allows on its premises any form of attire or sexual display prohibited under § 10–405 of this article.

(4) “Setups” includes drinking containers and ice.

(b) This section applies only in Prince George’s County.

(c) (1) A person may not serve or dispense setups or serve, dispense, keep, or allow to be consumed any alcoholic beverages or other component parts of mixed alcoholic drinks in a place of public entertainment.

(2) An owner or operator of a bottle club may not:

(i) Evade the alcoholic beverage license laws in the county, including laws governing the hours of operation; and

(ii) Sell, give, serve, dispense, keep, or allow to be consumed in the bottle club any alcoholic beverage, setups, or other component parts of mixed alcoholic drinks.

(D) (1) THE BOARD OR AN INSPECTOR OF THE BOARD MAY ORDER THAT A BOTTLE CLUB BE CLOSED IMMEDIATELY IF THE BOARD OR THE INSPECTOR DETERMINES THAT THE PUBLIC HEALTH, SAFETY, OR WELFARE REQUIRES EMERGENCY ACTION.

(2) IF AN IMMEDIATE CLOSURE IS ORDERED, THE BOARD OR THE INSPECTOR WHO ORDERED THE CLOSURE SHALL GIVE THE OWNER OR OPERATOR OF THE BOTTLE CLUB:

(I) WRITTEN NOTICE OF AND THE REASONS FOR THE CLOSURE;

AND

(II) WRITTEN NOTICE OF A HEARING ON THE CLOSURE AT WHICH THE OWNER OR OPERATOR MAY BE HEARD AND PRESENT EVIDENCE.

(3) THE BOARD SHALL HOLD THE HEARING WITHIN 3 BUSINESS DAYS AFTER THE CLOSURE.

(4) (I) AT THE HEARING, THE BOARD SHALL DETERMINE WHETHER THE THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE CAUSING THE CLOSURE CONTINUES TO EXIST.

(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF THE BOARD DETERMINES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT THE THREAT CONTINUES, THE BOARD MAY:

1. ORDER THE PERMANENT CLOSURE OF THE BOTTLE CLUB; OR

2. IMPOSE CONDITIONS UNDER WHICH THE BOTTLE CLUB MAY REOPEN.

(III) THE BOARD SHALL ORDER THE BOTTLE CLUB TO BE PERMANENTLY CLOSED IF:

1. THE CLOSURE UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR WHICH THE HEARING IS BEING HELD IS THE THIRD CLOSURE IN A 2-YEAR PERIOD; AND

2. THE PREVIOUS TWO CLOSURES UNDER PARAGRAPH (1) OF THIS SUBSECTION WERE NOT OVERTURNED BY THE BOARD OR ON JUDICIAL REVIEW.

(5) THE BOARD SHALL ISSUE A DECISION WITHIN 3 BUSINESS DAYS AFTER A HEARING IS HELD UNDER PARAGRAPH (4) OF THIS SUBSECTION.

(6) AN OWNER OR OPERATOR WHO IS AGGRIEVED BY A DECISION OF THE BOARD MAY PETITION FOR JUDICIAL REVIEW TO A CIRCUIT COURT.

[(d)](E) (1) THE BOARD MAY IMPOSE A FINE OF NOT MORE THAN \$12,500 PER VIOLATION ON A PERSON WHO THE BOARD FINDS HAS VIOLATED THIS SECTION.

(2)[A] IN ADDITION TO ANY OTHER PENALTY AUTHORIZED BY LAW, A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding \$10,000 or both.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 6–201(r)(8)(iv)1 of Article 2B of the Annotated Code of Maryland, as enacted by Section 1 of this Act, shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to a Class BCE license issued before the effective date of this Act.”;

and in line 9, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 902 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages Licenses

SB0902/544635/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 902

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “BLX (luxury restaurant)” and substitute “B”.

AMENDMENT NO. 2

On page 3, in line 24, strike “\$1,500” and substitute “\$2,000”; in line 25, strike “BLX (LUXURY RESTAURANT)” and substitute “B”; and in the same line, after “LICENSE” insert “IN THE BALLENGER (23RD) ELECTION DISTRICT”.

On page 5, in line 24, strike “BLX” and substitute “B”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #26**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 838 – Senator Waugh

AN ACT concerning

St. Mary’s County – Animal Regulations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 844 – Senators Young and Hough

AN ACT concerning

Frederick County – Deer Management Permit – Use of Rifles

SB0844/194930/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 844

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “in” insert “a certain zone in”; in lines 6 and 7, strike “with a certain exception and” and substitute “; authorizing an agent of a permittee in a certain zone in Frederick County to use a rifle to harvest deer during a certain period with a certain exception and allowing the agent”; and in line 8, after “Department” insert “of Natural Resources”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 27 through 31, inclusive, and substitute:

“(III) IN FREDERICK COUNTY ZONE 1, AS DEFINED IN COMAR 08.03.03.06A.(3)(G), AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST DEER THROUGHOUT THE YEAR.

(IV) 1. THIS SUBPARAGRAPH APPLIES ONLY IN FREDERICK COUNTY ZONE 2, AS DEFINED IN COMAR 08.03.03.06A.(3)(H).

2. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH, AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST DEER IN A PERIOD BEGINNING OCTOBER 1 AND ENDING MARCH 31.

3. IN A DEER FIREARMS SEASON, AN AGENT OF A PERMITTEE MAY HARVEST DEER ONLY BY USING THE WEAPON APPROVED FOR THAT SEASON.”.

On page 3, in lines 1 and 21, in each instance, strike “(IV)” and substitute “(V)”; and strike in their entirety lines 16 through 20, inclusive, and substitute:

“(III) IN FREDERICK COUNTY ZONE 1, AS DEFINED IN COMAR 08.03.03.06A.(3)(G), AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST DEER THROUGHOUT THE YEAR.

(IV) 1. THIS SUBPARAGRAPH APPLIES ONLY IN FREDERICK COUNTY ZONE 2, AS DEFINED IN COMAR 08.03.03.06A.(3)(H).

2. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH, AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST DEER IN A PERIOD BEGINNING OCTOBER 1 AND ENDING MARCH 31.

3. IN A DEER FIREARMS SEASON, AN AGENT OF A PERMITTEE MAY HARVEST DEER ONLY BY USING THE WEAPON APPROVED FOR THAT SEASON.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Joint Resolution 5 – Senators Eckardt, Astle, Edwards, Hershey, Jennings, Norman, Ready, and Salling

A Senate Joint Resolution concerning

Natural Resources – Goose and Duck Hunting Seasons – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #27**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 107 – Senator Conway

EMERGENCY BILL

AN ACT concerning

Public Safety – Hotels – Carbon Monoxide Alarms

SB0107/784630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 107

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “inside each guest room” and substitute “on the ceiling of certain rooms and areas”.

AMENDMENT NO. 2

On page 2, in line 12, strike “OR”; in line 14, after “BATTERY” insert “; OR”

4. IS BATTERY-POWERED, SEALED, TAMPER RESISTANT, AND CONNECTED TO AN ON-SITE OR OFF-SITE CONTROL UNIT THAT MONITORS THE CARBON MONOXIDE ALARM REMOTELY SO THAT A RESPONSIBLE PARTY IS ALERTED WHEN THE DEVICE ACTIVATES THE ALARM SIGNAL”.

On page 3, in line 11, strike “Underwriters” and substitute “AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI)/UNDERWRITERS”; in the same line, after “2034” insert “OR ANSI/UL 268 AND 2075”; in line 18, strike “INSIDE EACH GUEST ROOM”; and in the same line, after “HOTEL” insert “, AS FOLLOWS:”

(1) ON THE CEILING INSIDE EACH GUEST ROOM THAT:

(I) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;

(II) IS ADJACENT TO A ROOM OR AREA THAT CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;

(III) IS ADJACENT TO AN UNVENTILATED ATTACHED GARAGE; OR

(IV) IS CONNECTED BY DUCTWORK TO AN UNVENTILATED ATTACHED GARAGE OR ROOM OR AREA THAT CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE; AND

(2) ON A CEILING IN EACH ROOM OR AREA THAT:

(I) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;

(II) IS ADJACENT TO A ROOM OR AREA THAT CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE; OR

(III) IS ADJACENT TO AN UNVENTILATED ATTACHED GARAGE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 339 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Baltimore City – Belvedere Square

SB0339/704232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 339

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike the first “a”; in the same line, strike “area” and substitute “areas”; and strike beginning with “requiring” in line 8 down through “requirements;” in line 9.

AMENDMENT NO. 2

On page 1, in line 24, strike “AN” and substitute “:

(I) AN”;

and in line 25, after “SOUTH” insert “;OR

(II) AN ESTABLISHMENT LOCATED IN THE 400 BLOCK AND 500 BLOCK OF EAST BELVEDERE AVENUE.

On page 2, in line 4, strike “ON THE SOUTH SIDE OF” and substitute “LOCATED AT 511 THROUGH 529”; strike beginning with the colon in line 5 down through “WITHIN” in line 6 and substitute “WITHIN”; strike beginning with “ON” in line 6 down through “OF” in line 7 and substitute “LOCATED AT 511 THROUGH 529”; and strike beginning with “; AND” in line 7 down through “COMPLETE” in line 18.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 534 – Senators Madaleno, King, Montgomery, Raskin, Rosapepe, Waugh, and Young

AN ACT concerning

Higher Education – College Admissions Outreach Program for High-Achieving Students – Establishment

SB0534/324933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 534
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “charge” insert “, collaborate with a certain nonprofit entity to identify certain students and to make certain students’ contact information available to certain institutions of higher education, develop and implement a certain system to provide certain institutions of higher education with access to a certain student contact list, and establish a certain grant program”; in line 10, after “regulations;” insert “requiring the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date;”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 25 on page 1 through line 22 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, in line 27, after the first “THE” insert “10TH, 11TH, OR”; and strike beginning with “QUALIFIES” in line 29 down through “SUBTITLE” in line 30 and substitute “HAS AN ANNUAL FAMILY INCOME BELOW A POVERTY INDEX DETERMINED BY THE COMMISSION”.

On page 4, in line 7, after “MORE” insert “LOW-INCOME”; in line 8, strike “WHO QUALIFY FOR A GUARANTEED ACCESS GRANT”; in line 11, strike “PROVIDE” and substitute “:

(1) PROVIDE”;

in lines 13 and 15, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and in line 17, after “PROCESS” insert “:

(2) COLLABORATE WITH THE COLLEGE BOARD, COUNTY BOARDS OF EDUCATION, AND COUNTY SUPERINTENDENTS TO IDENTIFY STUDENTS ELIGIBLE FOR THE PROGRAM AND MAKE THE CONTACT INFORMATION OF ELIGIBLE STUDENTS AVAILABLE TO THE INSTITUTIONS OF HIGHER EDUCATION THAT AGREE TO THE PROVISIONS OF ITEM (3) OF THIS SUBSECTION;

(3) DEVELOP AND IMPLEMENT A SYSTEM THAT ALLOWS PUBLIC AND PRIVATE NONPROFIT INSTITUTIONS OF HIGHER EDUCATION IN THE STATE THAT DO NOT ALLOW OPEN ACCESS TO THEIR INSTITUTIONS TO ACCESS THE LIST OF ELIGIBLE STUDENTS COMPILED BY THE COMMISSION UNDER ITEM (2) OF THIS SUBSECTION IF THE INSTITUTION AGREES TO SUBMIT TO AND GET APPROVED BY THE COMMISSION A PROMOTION PLAN THAT:

(I) ADMITS ELIGIBLE STUDENTS WITHOUT AN APPLICATION;

OR

(II) 1. MARKETS DIRECTLY TO ELIGIBLE STUDENTS IDENTIFIED UNDER ITEM (2) OF THIS SUBSECTION TO ENCOURAGE THESE STUDENTS TO APPLY TO AN INSTITUTION OF HIGHER EDUCATION; AND

2. DESCRIBES IN DETAIL THE INSTITUTION OF HIGHER EDUCATION'S STREAMLINED APPLICATION PROCESS FOR ELIGIBLE STUDENTS; AND

(4) ESTABLISH A GRANT PROGRAM THAT MAKES AN AWARD TO AN INSTITUTION OF HIGHER EDUCATION THAT PARTICIPATES IN THE PROGRAM IN ACCORDANCE WITH ITEM (3) OF THIS SUBSECTION FOR EACH ELIGIBLE STUDENT WHO ENROLLS IN THE INSTITUTION USING EITHER OF THE ADMISSION PROCESSES DESCRIBED IN ITEM (3) OF THIS SUBSECTION AND WHO GRADUATES FROM THAT INSTITUTION”.

AMENDMENT NO. 4

On page 4, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November 1, 2015, the Maryland Higher Education Commission shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on the Commission’s plan, developed in collaboration with each of the 4–year institutions of higher education in the State in accordance with § 18–303.2 of the Education Article, to inform students who attend public high schools in which at least 75% of the student population is enrolled in the National School Lunch Program about the College Admissions Outreach Program for High–Achieving Students.”;

and in line 24, strike “2.” and substitute “3.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 695 – Senator Raskin

AN ACT concerning

General Provisions – Public Information Act – Enforcement, Fees, and Exemptions

SB0695/504237/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 695

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “programs;” in line 5; in line 6, after “Board” insert “and Office of the Public Access Ombudsman”; in the same line, after “Governor” insert “and the Attorney General”; in line 7, strike “the Governor’s Office Web site” and substitute “their Web sites”; in the same line, after “to” insert “certain”; strike beginning with “for” in line 7 down through “Board” in line 8; in line 8, after “applicants;” insert “requiring the Governor to solicit certain recommendations from certain individuals;”; in line 9, after “Governor” insert “and the Attorney General”; strike beginning with the second “the” in line 9 down through “site;” in line 10 and substitute “their Web sites;”; in line 10, after “Senate,” insert “and the Attorney General”; in line 11, strike “appoint the members of the Board” and substitute “make certain appointments”; in line 14, after “staff” insert “and office space”; in line 15, after the first “Board” insert “and the Ombudsman”; in the same line, after “Board;” insert “requiring the Board to report on certain matters to the Governor and the General Assembly on or before a certain date;”; strike beginning with “requiring” in line 20 down through “record;” in line 21; in line 22, after “conference;” insert “requiring the Board to hold a certain conference in a certain location under certain circumstances; authorizing the Board to allow certain testimony by teleconference or electronic mail;”; strike beginning with “requiring” in line 23 down through “circumstances;” in line 24; in line 27, after “review;” insert “authorizing a complainant or custodian to appeal a decision of the Board in accordance with certain provisions of law; requiring that a decision of the Board is stayed for a certain period of time under certain circumstances; providing for the staffing of the Office of the Public Access Ombudsman; providing for the qualifications, term, and salary of the Ombudsman; requiring the Ombudsman to be a full-time State employee; establishing the powers and the duties of the Ombudsman;”; and strike beginning with “requiring” in line 29 down through “custodian;” in line 30 and substitute “requiring a certain custodian to provide certain written information under certain circumstances;”.

On page 2, in line 6, strike “denying or”; strike beginning with “authorizing” in line 8 down through “circumstances;” in line 14; in line 15, strike “Board” and substitute “Ombudsman”; in the same line, after “records” insert “or the application of a certain exemption”; in line 16, strike “certain defendants are” and substitute “a certain defendant is”; in line 17, strike “repealing” and substitute “altering”; in line 19, after “Board;” insert “requiring the Attorney General, in consultation with certain persons, to report on certain matters to the Governor and the General Assembly on or before a certain date;”; strike in their entirety lines 22 through 26, inclusive; in line 29, strike “4-201;” in the same line, strike “4-343;” and substitute “and 4-301;”; in line 36, after “Board” insert “and Section 4-1B-01 through 4-1B-04 to be under the new subtitle “Subtitle 1B. Public Access Ombudsman””; and strike beginning with “providing” in line 19 down through “Act;” in line 20.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 3 on page 3 through line 4 on page 5, inclusive.

AMENDMENT NO. 3

On page 7, in line 19, strike “THREE” and substitute “FIVE”; in line 23, after “REPRESENTATIVE” insert “:

(I);

in line 24, strike the period and substitute “;

(II) WHO WORKS ON ISSUES RELATED TO TRANSPARENCY OR OPEN GOVERNMENT; AND

(III) WHO IS NOMINATED BY REPRESENTATIVES OF THE OPEN GOVERNMENT AND NEWS MEDIA COMMUNITIES.;

and after line 24, insert:

“(4) ONE MEMBER OF THE BOARD WHO:

(I) HAS KNOWLEDGE OF THE PROVISIONS OF THIS TITLE;

(II) HAS SERVED AS AN OFFICIAL CUSTODIAN IN THE STATE AS DEFINED IN § 4-101(D) OF THIS TITLE; AND

(III) IS NOMINATED BY THE MARYLAND ASSOCIATION OF COUNTIES AND THE MARYLAND MUNICIPAL LEAGUE.”.

On page 8, in line 1, strike “(4)” and substitute “(5)”; in lines 1 and 2, strike “GOVERNOR’S OFFICE”; in line 2, after “SITE” insert “OF THE OFFICE OF THE GOVERNOR”; after line 9, insert:

“(III) THE GOVERNOR SHALL SOLICIT RECOMMENDATIONS FOR POSITIONS ON THE BOARD FROM REPRESENTATIVES OF THE CUSTODIAN, NEWS MEDIA, AND NONPROFIT COMMUNITIES.”;

in lines 10 and 16, strike “(III)” and “(IV)”, respectively, and substitute “(IV)” and “(V)”, respectively; in line 14, strike “GOVERNOR’S OFFICE”; in the same line, after “SITE” insert “OF THE OFFICE OF THE GOVERNOR”; in line 16, after “SHALL” insert “:

(1)”;

in line 17, after “BOARD” insert “; AND

(2) ENSURE THE NEUTRALITY OF THE BOARD”;

in line 18, strike “(5)” and substitute “(6)”; and in line 21, strike “(4)” and substitute “(5)”.

AMENDMENT NO. 4

On page 9, in line 13, after “STAFF” insert “AND OFFICE SPACE”; in line 18, after “COMPLAINTS” insert “FILED UNDER § 4-1A-05 OF THIS SUBTITLE”; in the same line, strike “PERSON” and substitute “APPLICANT OR THE APPLICANT’S DESIGNATED REPRESENTATIVE”; in the same line, after “A” insert “CUSTODIAN CHARGED AN UNREASONABLE FEE UNDER § 4-206 OF THIS TITLE;”; and strike in their entirety lines 19 through 25, inclusive.

On page 10, strike beginning with “ORDER” in line 1 down through “(II)” in line 5; in line 6, after “TITLE,” insert “ORDER THE CUSTODIAN TO”; in the same line, strike “OF MORE THAN \$250”; in line 8, strike “DIFFERENCE; OR” and substitute “DIFFERENCE.”;

strike in their entirety lines 9 and 10; strike in its entirety line 12; in line 13, strike “(2)” and substitute “(1)”; in line 15, strike “(3)” and substitute “(2)”; and strike beginning with “AND” in line 24 down through “DENIED” in line 25.

On page 11, in line 1, strike “PERSON” and substitute “APPLICANT OR THE APPLICANT’S DESIGNATED REPRESENTATIVE”; in line 2, after “BOARD” insert “IF:”

(1) A CUSTODIAN CHARGED A FEE UNDER § 4-206 OF THIS TITLE OF MORE THAN \$350; AND

(2) THE COMPLAINANT ALLEGES IN THE COMPLAINT THAT THE FEE IS UNREASONABLE.”;

and strike beginning with “ALLEGING” in line 2 down through “TITLE.” in line 9.

On page 12, in line 2, after “COMPLAINT” insert “THE BASIS FOR THE FEE THAT WAS CHARGED.”; and strike beginning with the colon in line 2 down through “SUBSECTION.” in line 16.

On pages 13 and 14, strike in their entirety the lines beginning with line 17 on page 13 through line 5 on page 14, inclusive.

AMENDMENT NO. 5

On page 12, in line 27, after “(1)” insert “(I)”; in the same line, strike “IF” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF”; and after line 30, insert:

“(II) THE BOARD SHALL HOLD THE INFORMAL CONFERENCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN A LOCATION THAT IS AS CONVENIENT AS PRACTICABLE TO THE COMPLAINANT AND THE CUSTODIAN.

(2) WHEN CONDUCTING A CONFERENCE THAT IS SCHEDULED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD MAY ALLOW THE PARTIES TO TESTIFY BY TELECONFERENCE OR SUBMIT WRITTEN TESTIMONY BY ELECTRONIC MAIL.”.

On page 13, in lines 1 and 4, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

AMENDMENT NO. 6

On page 14, in line 10, strike “ATTORNEY GENERAL’S”; in line 11, after “SITE” insert “OF THE OFFICE OF THE ATTORNEY GENERAL”; in line 19, before “A” insert “(A)”; and after line 20, insert:

“(B) (1) A COMPLAINANT OR CUSTODIAN MAY APPEAL THE DECISION ISSUED BY THE BOARD UNDER THIS SUBTITLE IN ACCORDANCE WITH § 10-222 OF THE STATE GOVERNMENT ARTICLE.

“(2) AN APPEAL UNDER THIS SUBSECTION AUTOMATICALLY STAYS THE DECISION OF THE BOARD PENDING THE CIRCUIT COURT’S DECISION OR NO MORE THAN 30 DAYS AFTER THE DATE ON WHICH THE DEFENDANT SERVES AN ANSWER OR OTHERWISE PLEADS TO THE COMPLAINT, WHICHEVER IS SOONER.”.

AMENDMENT NO. 7

On page 14, before line 21, insert:

“SUBTITLE 1B. PUBLIC ACCESS OMBUDSMAN.

4-1B-01.

IN THIS SUBTITLE, “OMBUDSMAN” MEANS THE PUBLIC ACCESS OMBUDSMAN.

4-1B-02.

(A) THERE IS AN OFFICE OF THE PUBLIC ACCESS OMBUDSMAN.

(B) THE OFFICE OF THE ATTORNEY GENERAL SHALL PROVIDE OFFICE SPACE AND STAFF FOR THE OMBUDSMAN, WITH APPROPRIATE STEPS TAKEN TO PROTECT THE AUTONOMY AND INDEPENDENCE OF THE OMBUDSMAN.

4-1B-03.

(A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, THE ATTORNEY GENERAL SHALL APPOINT THE OMBUDSMAN.

(B) THE OMBUDSMAN SHALL HAVE BEEN ADMITTED TO PRACTICE LAW IN THE STATE.

(C) (1) THE OFFICE OF THE ATTORNEY GENERAL SHALL PUBLISH, ON ITS WEB SITE, NOTICE OF THE ATTORNEY GENERAL'S INTENT TO CONSIDER APPLICANTS FOR THE OMBUDSMAN POSITION.

(2) THE NOTICE SHALL INCLUDE:

(I) APPLICATION PROCEDURES;

(II) CRITERIA FOR EVALUATING AN APPLICANT'S QUALIFICATIONS; AND

(III) PROCEDURES FOR RESOLVING ANY CONFLICTS OF INTEREST.

(3) (I) AN INDIVIDUAL MAY SUBMIT TO THE ATTORNEY GENERAL AN APPLICATION FOR THE OMBUDSMAN POSITION AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(II) THE OFFICE OF THE ATTORNEY GENERAL SHALL POST ON ITS WEB SITE THE NAMES AND QUALIFICATIONS OF APPLICANTS AND MAY BROADCAST INTERVIEWS OF APPLICANTS ON ITS WEB SITE.

(D) (1) THE TERM OF THE OMBUDSMAN IS 4 YEARS.

(2) AT THE END OF A TERM, THE OMBUDSMAN CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(3) AN OMBUDSMAN WHO IS APPOINTED AFTER A TERM BEGINS SERVES FOR THE REMAINDER OF THE TERM UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(E) THE OMBUDSMAN SHALL BE A FULL-TIME STATE EMPLOYEE.

(F) THE OMBUDSMAN IS ENTITLED TO AN ANNUAL SALARY AS PROVIDED FOR IN THE STATE BUDGET.

4-1B-04.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE OMBUDSMAN SHALL MAKE REASONABLE ATTEMPTS TO RESOLVE DISPUTES BETWEEN APPLICANTS AND CUSTODIANS RELATING TO REQUESTS FOR PUBLIC RECORDS UNDER THIS TITLE, INCLUDING DISPUTES OVER:

(1) THE CUSTODIAN’S APPLICATION OF AN EXEMPTION;

(2) REDACTIONS OF INFORMATION IN THE PUBLIC RECORD;

(3) THE FAILURE OF THE CUSTODIAN TO PRODUCE A PUBLIC RECORD IN A TIMELY MANNER OR TO DISCLOSE ALL RECORDS RELEVANT TO THE REQUEST;

(4) OVERLY BROAD REQUESTS FOR PUBLIC RECORDS;

(5) THE AMOUNT OF TIME A CUSTODIAN NEEDS, GIVEN AVAILABLE STAFF AND RESOURCES, TO PRODUCE PUBLIC RECORDS;

(6) A REQUEST FOR OR DENIAL OF A FEE WAIVER UNDER § 4-206(E) OF THIS TITLE; AND

(7) REPETITIVE OR REDUNDANT REQUESTS FROM AN APPLICANT.

(B) WHEN RESOLVING DISPUTES UNDER THIS SECTION, THE OMBUDSMAN MAY NOT COMPEL A CUSTODIAN TO DISCLOSE PUBLIC RECORDS IN THE CUSTODIAN’S PHYSICAL CUSTODY.”.

On pages 14 and 15, strike in their entirety the lines beginning with line 21 on page 14 through line 8 on page 15, inclusive.

On page 15, in lines 16 and 17, in each instance, after “**10**” insert “WORKING”; in line 17, after “WRITING” insert “OR BY ELECTRONIC MAIL”; in line 20, strike “THE DOCUMENTS THAT ARE BEING RETRIEVED;” and substitute “AN ESTIMATE OF THE RANGE OF FEES THAT MAY BE CHARGED TO COMPLY WITH THE REQUEST FOR PUBLIC RECORDS;”; and strike beginning with the first bracket in line 26 down through “**(II)**” in line 28 and substitute “**(I)**”.

On page 16, strike in their entirety lines 1 and 2; in lines 3, 6, and 9, strike “**2.**”, “**3.**”, and “**(III)**”, respectively, and substitute “**1.**”, “**2.**”, and “**(II)**”, respectively; in line 3, strike “AN” and substitute “IF INSPECTION IS DENIED UNDER § 4-343 OF THIS TITLE A BRIEF”; strike beginning with “STATE’S” in line 4 down through “INTEREST” in line 5 and substitute “OFFICIAL CUSTODIAN’S INTEREST IN DENYING DISCLOSURE OF THE RECORD”; in line 5, strike “DISCLOSURE” and substitute “ACCESS TO THE INFORMATION IN THE RECORD”; in line 6, strike “and”; after line 6, insert:

3. WITHOUT DISCLOSING THE PROTECTED INFORMATION, A BRIEF DESCRIPTION OF THE UNDISCLOSED RECORD THAT WILL ENABLE THE APPLICANT TO ASSESS THE APPLICABILITY OF THE LEGAL AUTHORITY FOR THE DENIAL; AND;

in line 11, strike “DENY OR”; in line 14, strike “With the consent of the applicant, any” and substitute “ANY”; in the same line, after “section” insert “:

(1) WITH THE CONSENT OF THE APPLICANT;;

and in line 15, after “days” insert “;AND

(2) IF THE APPLICANT SEEKS RESOLUTION OF A DISPUTE UNDER § 4-1B-04 OF THIS TITLE, SHALL BE EXTENDED PENDING RESOLUTION OF THAT DISPUTE”.

AMENDMENT NO. 9

On pages 16 and 17, strike in their entirety the lines beginning with line 19 on page 16 through line 2 on page 17, inclusive.

On page 17, in line 3, strike “(3)” and substitute “(2)”; in line 6, strike “(4)” and substitute “(3)”; strike beginning with the colon in line 11 down through “IS” in line 14; in line 16, strike “REPRODUCING” and substitute “THE SEARCH FOR, PREPARATION OF, AND REPRODUCTION OF”; in line 17, strike “REQUESTED FOR A NONCOMMERCIAL PURPOSE”; after line 18, insert:

“(2) THE STAFF AND ATTORNEY REVIEW COSTS INCLUDED IN THE CALCULATION OF ACTUAL COSTS INCURRED UNDER THIS SECTION SHALL BE PRORATED FOR EACH INDIVIDUAL’S SALARY AND ACTUAL TIME ATTRIBUTABLE TO THE SEARCH FOR AND PREPARATION OF A PUBLIC RECORD UNDER THIS SECTION.”;

strike in their entirety lines 19 through 27, inclusive; in line 28, strike “(1)”; in the same line, strike the brackets; in the same line, strike “5”; and strike in their entirety lines 30 through 32, inclusive.

On page 18, after line 9, insert:

“(2) (1) THE APPLICANT IS INDIGENT AND FILES AN AFFIDAVIT OF INDIGENCY; OR”;

in line 10, strike “(2)” and substitute “(II)”; and in line 12, strike “OR THAT THE APPLICANT IS INDIGENT”.

AMENDMENT NO. 10

On page 18, strike in their entirety lines 13 through 27, inclusive, and substitute:

“4-301.

(A) [A] SUBJECT TO SUBSECTION (B) OF THIS SECTION, A custodian shall deny inspection of a public record or any part of a public record if:

- (1) by law, the public record is privileged or confidential; or
- (2) the inspection would be contrary to:
 - (i) a State statute;

(ii) a federal statute or a regulation that is issued under the statute and has the force of law;

(iii) the rules adopted by the Court of Appeals; or

(iv) an order of a court of record.

(B) IF AN APPLICANT FILES A COMPLAINT WITH THE OMBUDSMAN CHALLENGING A DENIAL OR THE APPLICATION OF AN EXEMPTION UNDER THIS SUBTITLE, THE CUSTODIAN SHALL PROVE THAT:

(1) THE DENIAL OR THE EXEMPTION IS CLEARLY APPLICABLE TO THE REQUESTED PUBLIC RECORD; AND

(2) IF INSPECTION IS DENIED UNDER PART IV OF THIS SUBTITLE, THE HARM FROM DISCLOSURE OF THE PUBLIC RECORD IS GREATER THAN THE PUBLIC INTEREST IN ACCESS TO THE INFORMATION IN THE PUBLIC RECORD.

AMENDMENT NO. 11

On page 20, in line 15, strike the third bracket; in line 16, strike “], IN THE ABSENCE OF A BONA FIDE DISPUTE,”; in line 21, strike “STATUTORY DAMAGES AND”; in line 25, strike “(I)”; in line 26, strike “PARAGRAPHS” and substitute “PARAGRAPH”; in the same line, strike “OR (2)”; strike beginning with “SHALL” in line 26 down through “SUBSECTION” in line 30; and strike beginning with “PER” in line 30 down through “TITLE” in line 31.

AMENDMENT NO. 12

On page 21, in line 8, strike the brackets; in the same line, strike “SHALL” in line 10, strike “3.” and substitute “2.”; in lines 13 and 14, in each instance, strike “one member” and substitute “two members”; after line 14, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 31, 2016, the Office of the Attorney General, in consultation with the Maryland Association of Counties, the Maryland Municipal League, and stakeholders from the custodian, news media, and open government communities, shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly, on its findings and recommendations for improving the implementation of the Public Information Act, including:

(1) whether the statutory duties of the State Public Information Act Compliance Board are appropriate, including whether the Board should be authorized to impose statutory damages and whether the functions of the Board and the Public Access Ombudsman should be modified;

(2) the merits and feasibility of merging the State Open Meetings Law Compliance Board with the State Public Information Act Compliance Board;

(3) the use of fee waivers in general and for reasons of indigency, including how often waivers are requested, denied, or granted, to include the amount of the fees that have been waived as a result;

(4) the scope of public records generated in connection with the transaction of public business that are held by a nongovernmental custodian and the appropriate remedies to ensure public access to those records; and

(5) whether the application of State law outside of the Public Information Act to justify the denial of access to public records is appropriate given the purpose of the Public Information Act.”;

in line 15, strike “Section 1 of”; in line 16, strike “2016” and substitute “2015”; and strike in their entirety lines 17 and 18.

The preceding 12 amendments were read only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 711 – Senator Raskin

AN ACT concerning

Election Law – Voting by Absentee Ballot – Prepaid Postage for the Return of Ballots

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 808 – Senators Klausmeier, Bates, Brochin, Montgomery, Pinsky, and Reilly

AN ACT concerning

Natural Resources – Aquaculture – Liability for Trespass

SB0808/434331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 808

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Reilly” and substitute “Reilly, and Simonaire”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 830 – Senator Conway

AN ACT concerning

Health Occupations – Professional Counselors and Therapists – Provisional Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #18

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 199 – Senator Conway

AN ACT concerning

Public Health – Opioid Maintenance Programs – Licensing

SB0199/907979/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 12 down through “assessment” in line 13; and in line 13, after the semicolon insert “prohibiting the Department from using the information obtained from a certain assessment to deny a certain license.”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 24 down through “**THE**” in line 25 and substitute “**THE**”; and strike beginning with “; **AND**” in line 26 down through “**ASSESSMENT**” in line 28.

On page 3, after line 15, insert:

“(E) THE DEPARTMENT MAY NOT USE THE INFORMATION OBTAINED FROM THE ASSESSMENT REQUIRED UNDER SUBSECTION (B)(2)(III) OF THIS SECTION TO DENY A LICENSE UNDER THIS SUBTITLE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 216 – Senator Kelley

AN ACT concerning

**Maryland Medical Assistance Program – Guardianship Commissions and Fees –
Income Deduction**

SB0216/877471/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 216

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Kelley” and substitute “Senators Kelley, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Pugh, and Reilly”; and in line 7, after “Program;” insert “specifying the amount of deductions for certain guardianship commissions and attorney’s fees;”.

AMENDMENT NO. 2

On page 2, in line 6, strike “**WHEN**” and substitute “**SUBJECT TO SUBSECTION (C) OF THIS SECTION, WHEN**”; and after line 9, insert:

“(C) DEDUCTIONS FOR GUARDIANSHIP COMMISSIONS AND ATTORNEY’S FEES SHALL BE \$50 PER MONTH.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 513 – Senator Klausmeier

AN ACT concerning

**Hospitals – Rate-Setting – Participation in 340B Program Under the Federal
Public Health Service Act**

SB0513/217878/2

BY: Finance Committee

AMENDMENTS TO SENATE BILL 513

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “certain”; in line 5, strike “of a certain hospital” and substitute “that meets certain criteria”; in the same line, strike “allowing” and substitute “making it possible for”; and in line 6, strike “to continue”.

AMENDMENT NO. 2

On page 2, in line 17, after “HOSPITAL” insert “**THAT, ON OR BEFORE JUNE 1, 2015, IS**”; in line 18, strike “AND”; in line 20, strike “ALLOW” and substitute “**MAKE IT POSSIBLE FOR**”; in line 21, strike “TO CONTINUE”; and in line 22, after “ACT” insert “**;**
AND”

(III) THAT COMPLIES WITH ALL FEDERAL REQUIREMENTS FOR THE 340B PROGRAM AND APPLICABLE PROVISIONS OF 42 C.F.R. § 413.65”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 757 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – Drug Overdose Prevention

SB0757/227574/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 757

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Drug Overdose Prevention” and substitute “Prescription Drug Monitoring Program – Required Disclosures”; strike beginning with “authorizing” in line 3 down through “registration;” in line 20; strike beginning with “defining” in line 21 down through “changes;” in line 22; in line 22, strike “drug overdose prevention” and substitute “the Prescription Drug Monitoring Program”; and strike in their entirety lines 23 through 28, inclusive.

On page 2, strike in their entirety lines 1 through 4, inclusive; in line 7, strike “13–3101, 13–3104(d)(2), 13–3107(1), 13–3108, 13–3109, and”; and strike in their entirety lines 10 through 16, inclusive.

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 19 on page 2 through line 3 on page 7, inclusive, and substitute:

“Article – Health – General”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 792 – Senator Astle

EMERGENCY BILL

AN ACT concerning

Public Health – Nondiscrimination in Access to Anatomical Gifts and Organ Transplantation

SB0792/337973/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 792

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Astle” and substitute “Senators Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly”; in line 9, strike “make” and substitute “allow an individual with a disability access to”; strike beginning with “available” in line 9 down through “disability” in line 10; in line 15, after “judgment;” insert “prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from denying coverage for organ transplantations solely on the basis of an insured’s or enrollee’s disability;”; and after line 24, insert:

“BY adding to

Article – Insurance

Section 27–915

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 13, after “**TEXTS,**” insert “**TEXTS IN ACCESSIBLE ELECTRONIC FORMAT,**”; and in line 27, strike “**RESPONSIBLE**”.

On page 3, in line 14, after “**FACILITY;**” insert “**OR**”; strike beginning with “**A**” in line 15 down through “**(10)**” in line 16; and in lines 16 and 17, strike “**MATCHING AN ANATOMICAL GIFT DONOR WITH**”.

On page 4, in line 27, strike “**INDIVIDUALS**” and substitute “**IN OTHER STATES NATIONWIDE, INDIVIDUALS**”.

On page 5, in line 26, after “**LIST;**” insert “**OR**”.

On pages 5 and 6, strike beginning with “**; OR**” in line 30 on page 5 down through “**CARE**” in line 3 on page 6.

On page 6, in line 18, strike “**MAKE**” and substitute “**ALLOW AN INDIVIDUAL WITH A DISABILITY ACCESS TO**”; strike beginning with “**AVAILABLE**” in line 19 down through “**DISABILITY,**” in line 20; in line 21, after “**MODIFICATIONS**” insert “**WOULD**”; in line 21, strike “**WOULD**”; in line 23, strike “**ANY**” and substitute “**SUCH**”; in the same line, after “**STEPS**” insert “**AS MAY BE**”; in line 27, after “**STEPS**” insert “**WOULD**”; and in line 28, strike the first “**WOULD**”.

On page 7, after line 4, insert:

“Article – Insurance

27-915.

(A) IN THIS SECTION, “ORGAN TRANSPLANTATION” MEANS THE TRANSPLANTATION OR TRANSFUSION OF A HUMAN BODY PART INTO THE BODY OF ANOTHER INDIVIDUAL FOR THE PURPOSE OF TREATING OR CURING A MEDICAL CONDITION.

(B) THIS SECTION APPLIES TO:

(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE COVERAGE FOR ORGAN TRANSPLANTATION TO INDIVIDUALS OR GROUPS ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE COVERAGE FOR ORGAN TRANSPLANTATION TO INDIVIDUALS OR GROUPS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

(C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT DENY COVERAGE FOR AN ORGAN TRANSPLANTATION SOLELY ON THE BASIS OF AN INSURED’S OR ENROLLEE’S DISABILITY.

(D) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE AN ENTITY SUBJECT TO THIS SECTION TO PROVIDE COVERAGE FOR AN ORGAN TRANSPLANTATION THAT IS NOT MEDICALLY NECESSARY.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 793 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

State Personnel – Automatic Step Increases – Standard Pay Plan

SB0793/437377/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 793

(First Reading File Bill)

On page 2, strike beginning with “WHO” in line 20 down through “FORMS” in line 22 and substitute “WHOSE OVERALL PERFORMANCE IS RATED SATISFACTORY OR ABOVE ON THE EMPLOYEE’S ANNUAL PERFORMANCE APPRAISAL”.

The preceding amendment was read only.

Senator Simonaire moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #10

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 720 – Senators Ready, Hough, and Bates

AN ACT concerning

Maryland Income Tax Refunds – Carroll County – Warrant Intercept Program

SB0720/529531/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 720

(First Reading File Bill)

On page 1, in line 7, after “changes;” insert “providing for a delayed effective date for certain provisions of this Act;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 766 – Senator Ready

AN ACT concerning

Agricultural Land Transfer Tax – Application**SB0766/939737/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 766

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Ready” and substitute “Senators Ready, Manno, Currie, Edwards, Serafini, and Eckardt”; in line 2, strike “Application” and substitute “Rate Determination”; in line 3, strike beginning with “clarifying” through “to” and substitute “providing that, when determining the rate of the agricultural land transfer tax to be imposed,”; and in line 5, after “law” insert “may not be included in the amount of agricultural land that is transferred”.

AMENDMENT NO. 2

On page 2, strike beginning with “**THE**” in line 17 down through “**TO**” in line 18 and substitute “**WHEN DETERMINING THE RATE OF THE AGRICULTURAL LAND TRANSFER TAX TO BE IMPOSED UNDER SUBSECTION (A) OR (B) OF THIS SECTION,**”; and in line

20, after “SUBTITLE” insert “MAY NOT BE INCLUDED IN THE AMOUNT OF AGRICULTURAL LAND THAT IS TRANSFERRED”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 824 – Senator Edwards

AN ACT concerning

Maryland Income Tax Refunds – Allegany County – Warrant Intercept Program

SB0824/129134/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 824
(First Reading File Bill)

On page 1, in line 7, after “changes;” insert “providing for a delayed effective date for certain provisions of this Act;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 855 – Eastern Shore Senators

AN ACT concerning

Maryland Income Tax Refunds – Eastern Shore Counties – Warrant Intercept Program

SB0855/619339/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 855

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “changes;” insert “providing for a delayed effective date for certain provisions of this Act;”.

AMENDMENT NO. 2

On page 2, in line 25, strike the first bracket; in the same line, strike “,]” and substitute “;”

(II)”;

and in lines 26 and 27, strike “(II)” and “(III)”, respectively, and substitute “(III)” and “(IV)”, respectively.

AMENDMENT NO. 3

On page 3, in lines 1, 2, 3, 4, 5, 6, 7, and 8, strike “(IV)”, “(V)”, “(VI)”, “(VII)”, “(VIII)”, “(IX)”, “(X)”, and “(XI)”, respectively, and substitute “(V)”, “(VI)”, “(VII)”, “(VIII)”, “(IX)”, “(X)”, “(XI)”, and “(XII)”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 886 – Senators Hough and Young

AN ACT concerning

**Frederick County Property Tax Fairness Act of 2015
(Strengthening Frederick Municipalities)****SB0886/359934/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 886
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “programs;” insert “requiring, if the county and the municipal corporation fail to reach an agreement concerning the formula, the county to grant a tax setoff in accordance with the formula used in the preceding taxable year;”; and in line 14, after “time” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 5, in line 15, after “(2)” insert “(I)”; after line 20, insert:

“(I) IF THE GOVERNING BODY OF FREDERICK COUNTY AND THE GOVERNING BODY OF A MUNICIPAL CORPORATION FAIL TO REACH AN AGREEMENT CONCERNING THE FORMULA BY WHICH A TAX SETOFF IS TO BE CALCULATED, THE GOVERNING BODY OF FREDERICK COUNTY SHALL GRANT A TAX SETOFF IN ACCORDANCE WITH THE FORMULA USED DURING THE PRECEDING TAXABLE YEAR.”;

and in line 24, after “2015” insert “**, IF THE INCREASE IS ATTRIBUTABLE TO THE FUNDING OF NEW SERVICES OR PROGRAMS**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #11

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 70 – The Speaker (By Request – Administration)

**Budget Bill
(Fiscal Year 2016)**

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2015 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 70 – THE BUDGET BILL

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 70 – THE BUDGET BILL

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE SUMMARY REPORT ON HOUSE BILL 70 – THE BUDGET BILL AND
HOUSE BILL 72 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit G of Appendix III)

The preceding 45 amendments were read only.

Senator Kasemeyer moved, duly seconded, that the Bill and Amendments be laid over under the Rules.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 72 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2015

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 72 – THE BUDGET RECONCILIATION AND
FINANCING ACT

(See Exhibit H of Appendix III)

HB0072/429137/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 72

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 22 down through “years;” in line 24 and substitute “altering the applicability of a certain provision of law relating to the percentage of a community provider’s total operating expenses that must be spent on certain employee salaries, wages, and fringe benefits; altering the calculation of the percentage of a community provider’s total operating expenses that must be spent on certain employee salaries, wages, and fringe benefits;”.

On pages 1 and 2, strike beginning with “altering” in line 24 on page 1 down through “rates;” in line 1 on page 2 and substitute “expanding the purposes for which the Maryland Energy Administration is required to use a certain fund;”.

On page 2, strike beginning with “altering” in line 3 down through “issue;” in line 5 and substitute “providing an exemption from the personal property tax for an interest of a person in cranes at Maryland Port Administration facilities; authorizing, rather than requiring, the Maryland Aviation Administration Fire Rescue Service to charge a certain ambulance transport fee; making conforming and clarifying changes to provisions of law relating to a certain ambulance transport fee;”; in line 12, after “circumstances;” insert “altering the requirements of a study to be performed by the Maryland Transportation Authority;”; in line 15, after “employees;” insert “altering a certain required appropriation so as to require an appropriation of a certain amount to certain accumulation funds of the State Retirement and Pension System;”; and in line 26, after “circumstances;” insert “prohibiting certain plans of compensation for State positions of employment to be amended to provide a rate of compensation lower than the rate in effect on a certain date; requiring that the amount of salary lost by a State employee as a result of a certain reduction in the employee’s rate of compensation on or after a certain date be included in the calculation of the employee’s earnable compensation by the State Retirement and Pension System for the purpose of determining retirement benefits; authorizing the Board of Trustees for the State Retirement and Pension System to adopt certain policies and procedures; requiring certain reports;”.

On page 3, strike beginning with “setting” in line 2 down through “facility;” in line 4; in line 31, after “Section” insert “5–202(a)(13)(ii), (iii), and (iv),”; in line 32, after “16–305(c)(1)(i),” insert “16–512(a)(1)(x) and (xi)”; and in line 39, after “Section” insert “5–202(a)(13)(v) and (vi) and”.

On page 4, after line 35, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General
Section 7–306.3(b)(1) and (2) and 7–307(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement);

and strike in its entirety line 38 and substitute “Section 8–709(d)”.

On page 5, in line 15, strike “17–220(d)(2) and 17–222(a)” and substitute “7–311(j)(1)”; after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – State Government
Section 9–20B–05(f)
Annotated Code of Maryland
(2014 Replacement Volume)”;

in line 26, strike “10–730(f)(1),”; in line 36, after “Section” insert “7–211(d) and”; in the same line, strike “.(g)”; and after line 38, insert:

“BY repealing

Article – Tax – Property
Section 13–209(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 5–415
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)”.

On page 6, after line 14, insert:

“BY repealing and reenacting, with amendments,

Chapter 397 of the Acts of the General Assembly of 2014
Section 1(b)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 7–311(j)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)
(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 12, after line 22, insert:

“(a) (13) “Target per pupil foundation amount” means:

(ii) Except as provided in items (iii) [and], (iv), (V), AND (VI) of this paragraph, in subsequent fiscal years:

1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 5%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year;

(iii) In fiscal year 2012, \$6,694; [and]

(iv) In each of fiscal years 2013 through 2015:

1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 1%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year;

(V) IN FISCAL YEAR 2016, \$6,954; AND

(VI) IN EACH OF FISCAL YEARS 2017 THROUGH 2020:

1. THE TARGET PER PUPIL FOUNDATION AMOUNT FOR THE PRIOR FISCAL YEAR INCREASED BY THE SAME PERCENTAGE AS THE LESSER OF:

A. THE INCREASE IN THE IMPLICIT PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT EXPENDITURES FOR THE SECOND PRIOR FISCAL YEAR;

B. THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON–BALTIMORE METROPOLITAN AREA, OR ANY SUCCESSOR INDEX, FOR THE SECOND PRIOR FISCAL YEAR; OR

C. 1.5%; OR

2. IF THERE IS NO INCREASE IN THE IMPLICIT PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT EXPENDITURES FOR THE SECOND PRIOR FISCAL YEAR OR IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON–BALTIMORE METROPOLITAN AREA, OR ANY

SUCCESSOR INDEX, FOR THE SECOND PRIOR FISCAL YEAR, THE TARGET PER PUPIL FOUNDATION AMOUNT SHALL BE THE AMOUNT FOR THE PRIOR FISCAL YEAR.”.

AMENDMENT NO. 3

On page 14, in line 17, strike “21.0%” and substitute “**20.75%**”; in line 22, strike “22.0%” and substitute “**21%**”; and in line 27, strike “23%” and substitute “**21%**”.

AMENDMENT NO. 4

On page 17, after line 10, insert:

“16–512.

(a) (1) The total State operating fund per full–time equivalent student appropriated to Baltimore City Community College for each fiscal year other than fiscal year 2013, as requested by the Governor shall be:

(x) In fiscal year 2019, not less than an amount equal to [61%] **60%** of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xi) In fiscal year 2020, not less than an amount equal to [62.5%] **60%** of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;”.

AMENDMENT NO. 5

On page 18, in line 4, strike “10.1%” and substitute “**9.6%**”; in line 7, strike “10.5%” and substitute “**9.6%**”; in line 10, strike “10.8%” and substitute “**9.6%**”; and in line 13, strike “11.1%” and substitute “**9.6%**”.

AMENDMENT NO. 6

On page 25, after line 2, insert:

“Article – Health – General

7-306.3.

(b) (1) (I) [This] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS subsection applies in fiscal [2015] YEAR 2016 and each fiscal year thereafter before the earlier of:

[(i)] 1. The implementation of the payment system required under § 7-306.2 of this subtitle; or

[(ii)] 2. The end of fiscal year 2019.

(II) THIS SUBSECTION DOES NOT APPLY IN ANY FISCAL YEAR IN WHICH THE RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS IS LESS THAN 3.0% OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES PROGRAM M00M01.02 COMMUNITY SERVICES IN THE PRIOR FISCAL YEAR.

(2) The percentage of a community provider's total reported operating expenses, excluding interest on capital and other capital expenses, that is spent on direct support employee salaries, wages, and fringe benefits for a fiscal year, as reported to the Department by the provider in its fiscal year cost report data form, may not be less than the percentage of the community provider's total reported operating expenses spent on direct support employee salaries, wages, and fringe benefits for [fiscal year 2014] THE LAST FISCAL YEAR IN WHICH THE RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS IS LESS THAN 3.0% OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES IN THE PRIOR FISCAL YEAR."

AMENDMENT NO. 7

On page 25, before line 3, insert:

"7-307.

(d) (1) The Governor's proposed budget for fiscal year 2016 shall include a [3.5%] 3.0% rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2015.

(2) The Governor’s proposed budget for fiscal year 2017 shall include a [3.5%] 3.0% rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2016.

(3) The Governor’s proposed budget for fiscal year 2018 shall include a [3.5%] 3.0% rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2017.

(4) The Governor’s proposed budget for fiscal year 2019 shall include a [3.5%] 3.0% rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2018.

(5) THE GOVERNOR’S PROPOSED BUDGET FOR FISCAL YEAR 2020 SHALL INCLUDE A 3.0% RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES FOR FISCAL YEAR 2019.”.

AMENDMENT NO. 8

On page 25, strike in their entirety lines 4 through 18, inclusive.

AMENDMENT NO. 9

On page 27, after line 6, insert:

“7-311.

(i) (1) Except as provided in paragraph (2) of this subsection [and § 13-209(g) of the Tax – Property Article], for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000.”.

On pages 31 and 32, strike in their entirety the lines beginning with line 5 on page 31 through line 8 on page 32, inclusive.

On page 32, in line 9, strike “(h)” and substitute “(G)”; and in line 11, strike “or (g)”.

AMENDMENT NO. 10

On pages 27 and 28, strike in their entirety the lines beginning with line 29 on page 27 through line 6 on page 28, inclusive.

AMENDMENT NO. 11

On page 28, after line 6, insert:

“Article – State Government

9–20B–05.

(f) The Administration shall use the Fund:

(1) to invest in the promotion, development, and implementation of:

(i) cost-effective energy efficiency and conservation programs, projects, or activities, including measurement and verification of energy savings;

(ii) renewable and clean energy resources;

(iii) climate change programs directly related to reducing or mitigating the effects of climate change; and

(iv) demand response programs that are designed to promote changes in electric usage by customers in response to:

1. changes in the price of electricity over time; or

2. incentives designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized;

(2) to provide targeted programs, projects, activities, and investments to reduce electricity consumption by customers in the low-income and moderate-income residential sectors;

(3) to provide supplemental funds for low-income energy assistance through the Electric Universal Service Program established under § 7–512.1 of the Public

Utilities Article and other electric assistance programs in the Department of Human Resources;

(4) to provide rate relief by offsetting electricity rates of residential customers, including an offset of surcharges imposed on ratepayers under § 7–211 of the Public Utilities Article;

(5) to provide grants, loans, and other assistance and investment as necessary and appropriate to implement the purposes of the Program as set forth in § 9–20B–03 of this subtitle;

(6) to implement energy–related public education and outreach initiatives regarding reducing energy consumption and greenhouse gas emissions;

(7) to provide rebates under the Electric Vehicle Recharging Equipment Rebate Program established under § 9–2009 of this title; [and]

(8) TO PROVIDE GRANTS TO ENCOURAGE COMBINED HEAT AND POWER PROJECTS AT INDUSTRIAL FACILITIES; AND

[(8)] (9) to pay the expenses of the Program.”.

AMENDMENT NO. 12

On page 29, strike in their entirety lines 28 through 33, inclusive.

AMENDMENT NO. 13

On page 30, after line 8, insert:

“7–211.

(d) (1) In this subsection, “port facility” includes at least 1 or a combination of:

(i) lands, piers, docks, wharves, warehouses, sheds, transit sheds, elevators, compressors, refrigeration storage plants, buildings, structures, and other facilities, appurtenances, and equipment that is useful or designed for use in connection with shipbuilding, ship repair, or the operation of a port;

(ii) every kind of terminal, storage structure, or facility that is useful or designed for use in handling, storing, loading, or unloading freight or passengers at marine terminals; and

(iii) every kind of transportation facility that is useful or designed for use in connection with any of these.

(2) An interest of a person in property in a port facility that is owned by the federal government or the State, any of their agencies or instrumentalities, or a county or municipal corporation is not subject to the property tax.

(3) AN INTEREST OF A PERSON IN CRANES USED AT MARYLAND PORT ADMINISTRATION FACILITIES IS NOT SUBJECT TO THE PROPERTY TAX.

On page 47, after line 23, insert:

“SECTION 26. AND BE IT FURTHER ENACTED, That § 7-211(d) of the Tax – Property Article, as enacted by Section 1 of this Act, shall be applicable to all taxable years beginning after December 31, 2015.”

AMENDMENT NO. 14

On page 32, after line 19, insert:

“Article – Transportation

5-415.

(a) In this section, “Fire Rescue Service” means the Maryland Aviation Administration Fire Rescue Service.

(b) Subject to [subsection (c)] **SUBSECTIONS (C) AND (E)** of this section, the Fire Rescue Service [shall] **MAY** charge an ambulance transport fee [set in regulations adopted under subsection (d) of this section] to an individual if the Fire Rescue Service transports the individual to a hospital from property owned by the Administration or property subject to a mutual aid agreement to which the Administration is a party.

(c) **[(1)]** The Fire Rescue Service may not:

[(i)] (1) Question an individual about ability to pay [the] AN ambulance transport fee at the time that ambulance transportation is requested or provided; or

[(ii)] (2) Fail to provide ambulance transportation and emergency medical services because of an individual’s actual or perceived inability to pay [the] AN ambulance transport fee.

[(2)] (D) The Administration may procure the services of a third party billing company to administer [its] AN ambulance transport fee program UNDER THIS SECTION.

[(d)] (E) [The] BEFORE THE FIRE RESCUE SERVICE MAY CHARGE AN AMBULANCE TRANSPORT FEE UNDER THIS SECTION, THE Administration shall adopt regulations to:

(1) Set the AMOUNT OF THE ambulance transport fee; and

(2) Administer the collection of the ambulance transport fee, including regulations governing:

(i) A waiver of the ambulance transport fee in the event of financial hardship;

(ii) The acceptance of reduced payments by commercial insurers and other third-party payors, including Medicare and Medicaid; and

(iii) A requirement that each individual receiving an ambulance transport provide financial information, including the individual’s insurance coverage, and assign insurance benefits to the Administration.

[(e)] (F) The Administration shall deposit the fees collected under this section in the Transportation Trust Fund.”.

AMENDMENT NO. 15

On page 33, in line 37, strike “\$20,000,000” and substitute “\$25,000,000”.

AMENDMENT NO. 16

On page 34, after line 34, insert:

“Chapter 397 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.

That:

(b) (1) The Authority shall complete a study and submit a report on the status of its initiative to implement all–electronic tolling in accordance with this subsection.

(2) The study shall include:

(i) an analysis of all–electronic tolling in other states and a description of various all–electronic tolling programs;

(ii) an analysis of electronic toll collection interoperability;

(iii) an analysis of:

1. alternative payment methods that do not exceed the existing cash toll rate at each project;

2. a video toll rate based on an analysis of actual costs and potential savings to collect video tolls; [and]

3. a toll rate needed to address concerns with video toll collection associated with trucks **AND CORRESPONDING AXLE COMBINATIONS**;

4. **INNOVATIVE PROCUREMENT MODELS IMPLEMENTED IN OTHER STATES, INCLUDING MODELS FOR SELECTING THE BEST ROADSIDE AND BACK OFFICE SYSTEMS FOR TOLL COLLECTION AND SYSTEM PROCESSING; AND**

5. **THE ECONOMIC BENEFITS OF ENSURING A HIGHLY COMPETITIVE PROCUREMENT MODEL;**

(iv) an analysis of issues and factors related to all–electronic tolling that must be addressed before all–electronic tolling becomes effective at each project;

(v) an overview of revisions, if any, to the Authority’s initial all–electronic tolling proposal; and

(vi) proposed legislation, if required, relating to the implementation of all–electronic tolling.

(3) The Authority shall submit a report of its findings and recommendations on or before January 1, 2016, to:

(i) the County Executive and County Council of Cecil County;

(ii) the County Executive and County Council of Harford County;

(iii) the Mayor and Town Commission of the Town of Perryville;

(iv) the Mayor and City Council of the City of Havre de Grace; and

(v) in accordance with § 2–1246 of the State Government Article, the House Committee on Ways and Means and the Senate Finance Committee.”.

AMENDMENT NO. 17

On page 36, after line 5, insert:

“Article – State Finance and Procurement

7–311.

(j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year [2007] 2017 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation to:

(I) the Account equal to ONE–HALF OF the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; AND

(II) THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM EQUAL TO ONE–HALF OF THE AMOUNT BY WHICH THE

UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS \$10,000,000.

AMENDMENT NO. 18

On page 42, in line 19, strike “or”; and in line 21, after the second “Maryland” insert “.

(iii) increased payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7-601 of the Transportation Article; or

(iv) operationally critical staff”;

and before line 22, insert:

“(d) On or before December 1, 2015, in accordance with § 2-1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as operationally critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(e) On or before December 1, 2015, in accordance with § 2-1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all Executive Branch staff identified as operationally critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”.

AMENDMENT NO. 19

On page 42, in line 13, after “(a)” insert “(1)”; in line 17, strike “(b)” and substitute “(2)”; in the same line, strike “provision” and substitute “subsection”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “(i)” and “(ii)”, respectively; and after line 21, insert:

“(b) (1) This subsection does not apply to the Executive Pay Plan.

(2) No plan of compensation for any State position of employment may be amended to provide a rate of compensation lower than the rate provided for the position in effect on January 1, 2015.

(c) (1) The amount of salary lost by a State employee as a result of any reduction in the employee’s rate of compensation on or after July 1, 2015, below the rate of compensation of the employee in the same position in effect on January 1, 2015, attributable to the failure to include in the fiscal 2016 budget an appropriation sufficient to continue to fund the cost-of-living adjustments for State employees that took effect on January 1, 2015, shall be included by the State Retirement and Pension Systems in the calculation of the employee’s earnable compensation for the purpose of determining retirement benefits.

(2) The Board of Trustees for the State Retirement and Pension System may adopt any policies and procedures necessary to carry out the provisions of this subsection.”.

AMENDMENT NO. 20

On page 43, in line 17, strike “\$4,000,000” and substitute “\$3,500,000”.

AMENDMENT NO. 21

On page 47, strike in their entirety lines 6 through 11, inclusive.

AMENDMENT NO. 22

On page 47, after line 15, insert:

“SECTION 23. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2016, the Governor may transfer from the Special Fund for Preservation of Cultural Arts in Maryland established under § 4–801 of the Economic Development Article:

(1) \$50,000 as a grant to the Board of Trustees of Sotterley Plantation Museum;

(2) \$125,000 as a grant to the Maryland Historical Society;

(3) \$225,000 as a grant to the Maryland Humanities Council;

(4) \$790,042 as a grant to the Maryland State Arts Council for the purpose of making grants to arts organizations;

(5) \$467,000 as a grant to the Maryland Academy of Sciences; and

(6) \$342,958 to the General Fund.”.

AMENDMENT NO. 23

On page 47, in lines 12, 24, 26, and 28, strike “23.”, “26.”, “27.”, and “28.”, respectively, and substitute “22.”, “27.”, “28.”, and “29.”, respectively; and in line 29, strike “26 and 27” and substitute “27 and 28”, respectively.

The preceding 23 amendments were read only.

Senator Kasemeyer moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Kasemeyer moved, duly seconded, to suspend Rule 52(c)(1) to allow the reprint to be considered as the official bill on second reading.

The motion was adopted.

THE COMMITTEE ON RULES REPORT #11

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 935 – Senator Waugh

AN ACT concerning

Task Force to Study the Recruitment, Retention, and Promotion of Teachers in Maryland Using the Principles of Human Capital Strategy

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 936 – Senator Klausmeier

AN ACT concerning

Maryland Locksmith Act – Public Lists of Licensees – Remedies for Violations

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 672 – Senators Young and Nathan–Pulliam

AN ACT concerning

Public and Nonpublic Schools – Student Diabetes Management Program

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR ECKARDT.

FLOOR AMENDMENT

SB0672/343126/2

BY: Senator Eckardt

AMENDMENTS TO SENATE BILL 672

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “each county board of education” and substitute “the Department to select a certain number of counties”; in line 7, after “schools” insert “within the jurisdiction of certain county boards of education”; in the same line, after “Management” insert “Pilot”; in line 23, after “Plan;” insert “requiring the Department to submit to certain committees of the General Assembly on or before certain dates certain reports that include certain information”; and in the same line, after “terms;” insert “providing for the termination of certain provisions of this Act”.

AMENDMENT NO. 2

On page 2, in line 16, after “MANAGEMENT” insert “PILOT”.

On page 3, in line 10, strike “EACH COUNTY BOARD” and substitute “THE DEPARTMENT”; in the same line, after “SHALL” insert “SELECT TWO COUNTIES TO”; in line 11, after “BOARD” insert “IN THOSE COUNTIES”; and in line 12, after “MANAGEMENT” insert “PILOT”.

On page 5, after line 29, insert:

“(F) (1) ON OR BEFORE JUNE 1, 2016, THE DEPARTMENT SHALL SUBMIT AN INTERIM REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THAT INCLUDES:

(I) THE NUMBER OF EMPLOYEES WHO VOLUNTEERED TO PARTICIPATE IN THE PROGRAM;

(II) THE COST OF IMPLEMENTING THE PROGRAM AND COST PROJECTIONS FOR THE NEXT YEAR OF IMPLEMENTATION OF THE PROGRAM;

(III) THE NUMBER OF ADDITIONAL PERSONNEL REQUIRED TO IMPLEMENT THE PROGRAM, IF NECESSARY; AND

(IV) THE PROGRESS OF PROGRAM IMPLEMENTATION.

(2) ON OR BEFORE JUNE 1, 2017, THE DEPARTMENT SHALL SUBMIT A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, INCLUDING A RECOMMENDATION ON WHETHER TO EXPAND THE PROGRAM STATEWIDE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education”.

On page 9, in line 26, strike “2.” and substitute “3.”; and in line 27, after “2015.” insert “Section 1 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2017, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read only.

Senator Young moved, duly seconded, to separate the (2) Amendments.

The motion was adopted.

Senator Young moved, duly seconded, to make the Bill and Amendments a Special Order for March 24, 2015.

The motion was adopted.

Senate Bill 743 – Senators Lee, Guzzone, Kagan, King, Madaleno, Manno, Montgomery, Nathan–Pulliam, Pugh, and Raskin

AN ACT concerning

Vital Records – New Certificates of Birth – Sex Change or Diagnosis of an Intersex Condition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0743/337473/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 743

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, Feldman, and Kelley”; strike beginning with “altering” in line 9 down through “Act;” in line 13; and in line 14, after “conforming” insert “, technical.”.

AMENDMENT NO. 2

On page 3, in line 7, after “**ARTICLE;**” insert “OR”.

On page 4, in line 25, strike “**PROVIDER**” and substitute “PRACTITIONER”.

On page 7, in lines 10 and 20, in each instance, strike the brackets; strike beginning with the semicolon in line 12 down through “SECTION” in line 16; and strike beginning with the semicolon in line 22 down through “INDIVIDUAL” in line 28.

The preceding 2 amendments were read and adopted.

Senator Ready moved, duly seconded, to make the Bill and Report a Special Order for March 24, 2015.

The motion was rejected by a roll call vote as follows:

Affirmative – 18 Negative – 26 (See Roll Call No. 509)

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0743/813427/1

BY: Senator Reilly

AMENDMENT TO SENATE BILL 743

(First Reading File Bill)

On page 3, in line 4, after “ARTICLE;” insert “OR”; and strike in their entirety lines 8 and 9.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 29 (See Roll Call No. 510)

FLOOR AMENDMENT

SB0743/203626/1

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 743

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 8 down through “changes;” in line 9.

AMENDMENT NO. 2

On page 6, in line 16, strike “(1)”; and in lines 18 and 22, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively.

On pages 6 and 7, strike in their entirety the lines beginning with line 26 on page 6 through line 1 on page 7, inclusive.

On page 10, in line 14, strike the brackets; and in the same line, strike “EXCEPT AS PROVIDED IN § 4–211(F) OF THIS SUBTITLE, ON”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 13 Negative – 30 (See Roll Call No. 511)

FLOOR AMENDMENT

SB0743/893829/2

BY: Senator Ready

AMENDMENTS TO SENATE BILL 743

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sex Change or”; strike beginning with “whose” in line 5 down through “or” in line 6; in line 13, strike “repealing language rendered obsolete by this Act;”; in line 14, strike “a”; and in the same line, strike “term” and substitute “terms”.

AMENDMENT NO. 2

On page 4, in line 19, after “(B)” insert “(1) IN THIS SUBSECTION, “INTERSEX” MEANS A GROUP OF CONDITIONS WHERE THERE IS A DISCREPANCY BETWEEN THE EXTERNAL GENITALS OF AN INDIVIDUAL AND THE INTERNAL GENITALS OF THE INDIVIDUAL.

(2);

in lines 22 and 23, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 23, strike “ONE OF”; in line 25, strike “(I)”; and strike beginning with “HAS” in line 28 down through “OR” in line 29.

On page 5, strike beginning with the colon in line 7 down through “**THE**” in line 11 and substitute “**THE**”; and strike beginning with the semicolon in line 14 down through “**CHANGED**” in line 22.

On page 9, in line 30, strike the bracket.

On page 10, in lines 3 and 9, in each instance, strike the bracket; and in line 9, strike “**(6)**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 30 (See Roll Call No. 512)

FLOOR AMENDMENT

SB0743/143424/1

BY: Senator Serafini

AMENDMENTS TO SENATE BILL 743, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 14, after “term;” insert “prohibiting an individual who has been issued a new certificate of birth under a certain provision of law from marrying in the State without making a certain disclosure to a certain individual;”; and after line 20, insert:

“BY repealing and reenacting, with amendments,

Article – Family Law

Section 2–401

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

In the Finance Committee Amendments (SB0743/337473/1), in line 1 of Amendment No. 2, strike “**OR**”.

AMENDMENT NO. 3

On page 3 of the bill, after line 9, insert:

“(V) A LICENSED CLINICAL PROFESSIONAL COUNSELOR LICENSED UNDER TITLE 17 OF THE HEALTH OCCUPATIONS ARTICLE; OR”.

On page 4 of the bill, in line 25, strike “A” and substitute “**THREE**”.

AMENDMENT NO. 4

In the Finance Committee Amendments, in line 2 of Amendment No. 2, strike “**PRACTITIONER**” and substitute “**PRACTITIONERS**”.

AMENDMENT NO. 5

On pages 4 and 5 of the bill, in lines 25 and 26 on page 4 and in line 6 on page 5, in each instance, strike “HAS” and substitute “**HAVE**”.

On page 5 of the bill, in line 6, after “**THE**” insert “**THREE**”; and in the same line, strike “**PRACTITIONER**” and substitute “**PRACTITIONERS**”.

AMENDMENT NO. 6

On page 10 of the bill, after line 24, insert:

“Article – Family Law

2–401.

(a) **An individual may not marry in this State without a license issued by the clerk for the county in which the marriage is performed.**

(B) AN INDIVIDUAL WHO HAS BEEN ISSUED A NEW CERTIFICATE OF BIRTH UNDER § 4–211(B) OF THE HEALTH – GENERAL ARTICLE MAY NOT MARRY IN THIS STATE WITHOUT DISCLOSING TO THE OTHER INDIVIDUAL TO BE MARRIED THAT THE INDIVIDUAL HAS BEEN ISSUED THE NEW CERTIFICATE OF BIRTH.

[(b)] (C) Any individual who violates this section is guilty of a misdemeanor and on conviction is subject to a fine of \$100.”

The preceding 6 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 29 (See Roll Call No. 513)

Read the second time and ordered prepared for Third Reading.

Senate Bill 70 – Senator Conway

AN ACT concerning

**State Board of Morticians and Funeral Directors – Orders of Summary
Suspension – Prohibition on Stays**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0070/674633/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 70

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Prohibition on”; and strike beginning with “prohibiting” in line 4 down through “Directors;” in line 5 and substitute “requiring a stay if a licensed funeral establishment notes an appeal from an order of summary suspension by the State Board of Morticians and Funeral Directors; authorizing a stay if a certain licensee notes an appeal from an order of summary suspension by the Board; requiring a court to provide notice of an opportunity to be heard to certain parties before staying a certain order; prohibiting a court from staying a certain order if, after a hearing, the court makes a certain finding:”.

AMENDMENT NO. 2

On page 2, in line 8, strike “If” and substitute “EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, IF”; in the same line, strike the brackets; in line 10, strike “PERSON” and substitute “LICENSED FUNERAL ESTABLISHMENT”; in the same line, strike “SUMMARY”; in line 11, after “SUSPENSION” insert “OF A LICENSE MADE”; in the same line, after “BOARD” insert “IN ACCORDANCE WITH § 10-226(C)(2) OF THE STATE GOVERNMENT ARTICLE”; in the same line, strike “MAY NOT BE” and substitute “IS”; and after line 11, insert:

“(3) (1) IF A LICENSEE THAT IS NOT A LICENSED FUNERAL ESTABLISHMENT NOTES AN APPEAL FROM AN ORDER OF SUSPENSION OF A LICENSE

MADE BY THE BOARD IN ACCORDANCE WITH § 10-226(C)(2) OF THE STATE GOVERNMENT ARTICLE, THE ORDER MAY BE STAYED.

(II) BEFORE A COURT MAY STAY AN ORDER UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COURT SHALL NOTIFY THE LICENSEE AND THE BOARD OF THE OPPORTUNITY TO BE HEARD.

(III) A COURT MAY NOT STAY AN ORDER ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF, AFTER A HEARING, THE COURT FINDS THAT THE VIOLATION BY THE LICENSEE PRESENTS A SUBSTANTIAL LIKELIHOOD OF RISK OF SERIOUS HARM TO THE PUBLIC HEALTH, SAFETY, OR WELFARE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 463 – Senators Pinsky, Conway, Montgomery, and Young

AN ACT concerning

Agriculture – Cattle, Swine, and Poultry – Use of Antimicrobial Drugs

STATUS OF BILL: QUESTION IS ON THE MOTION TO RECONSIDER THE VOTE BY WHICH THE BILL PASSED TO THIRD READING.

Senator Pinsky moved, duly seconded, to recommit the Bill.

The motion was adopted.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 54 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Circuit Court Real Property Records Improvement Fund – Funding

FOR the purpose of requiring the State Court Administrator to assess a certain surcharge on certain fees, charges, and costs in certain cases in the Court of Appeals, Court of Special Appeals, and circuit courts; requiring the Chief Judge of the District Court to assess a certain surcharge in certain cases; requiring the surcharges to be deposited in the Circuit Court Real Property Records Improvement Fund; providing for the construction of this Act; and generally relating to the Circuit Court Real Property Records Improvement Fund.

BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings
 Section 7–102, 7–202(e) and (f), 7–301(c), and 13–603(a)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,
 Article – Courts and Judicial Proceedings
 Section 7–202(d) and 13–603(c)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2014 Supplement)

BY adding to
 Article – Courts and Judicial Proceedings
 Section 7–202(e)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 349 – Delegate B. Robinson

AN ACT concerning

Procurement Preferences – ~~Blind Industries and Services of Maryland –~~ ~~Janitorial Products Pricing and Selection Committees~~

FOR the purpose of repealing the ~~requirement that a State or State aided or controlled entity include in certain maintenance contracts a requirement that a prime contractor procure certain products from the Blind Industries and Services of Maryland under certain circumstances~~; Pricing Committee for Blind Industries and Services of Maryland and merging the functions of the Committee with the Pricing and Selection Committee for the Employment Works Program; altering the membership and duties of a certain pricing and selection committee; requiring the Governor’s Office of Minority Affairs and the Department of General Services to report to certain committees of the General Assembly on or before certain dates; providing for the termination of certain provisions of this Act; and generally relating to procurement ~~preferences related to the Blind Industries and Services of Maryland~~ preferences and pricing and selection committees.

BY repealing and reenacting, ~~with~~ without amendments,
Article – State Finance and Procurement
Section 14–103
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing
Article – State Finance and Procurement
Section 14–104 and 14–105
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–106 and 14–107
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 463 – Delegate K. Young

AN ACT concerning

State Board of Morticians and Funeral Directors – Funeral Establishment Licenses – Ownership and Operation Requirements

FOR the purpose of altering the criteria to be used by the State Board of Morticians and Funeral Directors when issuing a funeral establishment license so as to require that the funeral establishment be owned and operated in accordance with certain provisions of law by a certain individual or group of individuals or operated in accordance with certain provisions of law by a holder of a certain license; and generally relating to the State Board of Morticians and Funeral Directors, funeral establishment licenses, and ownership and operation requirements.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–310(c)
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 543 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Conaway, Glenn, and B. Robinson

AN ACT concerning

Baltimore City – Housing Authority of Baltimore City – Subsidiary Entities

FOR the purpose of providing that a not-for-profit entity shall be deemed controlled by the Housing Authority of Baltimore City under certain circumstances; altering the applicability of certain tax exemption provisions for property of a subsidiary entity of a Baltimore Housing Authority entity; altering a certain definition; and generally relating to the Housing Authority of Baltimore City.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 12-104
Annotated Code of Maryland
(2006 Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 12-502(h)
Annotated Code of Maryland
(2006 Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 566 – Delegate Rosenberg

AN ACT concerning

Administrative Procedure Act – Department of Health and Mental Hygiene – Licensees Providing Services to Individuals With Developmental Disabilities – Emergency ~~Exception~~ Action

FOR the purpose of authorizing the Department of Health and Mental Hygiene ~~to order~~, under certain circumstances, to suspend the license of a licensee that provides services to individuals with developmental disabilities or order the licensee to remedy immediately a situation requiring emergency action ~~instead of ordering the suspension of the license~~; and generally relating to ~~the Administrative Procedure Act and~~ emergency actions by the Department of Health and Mental Hygiene concerning licensees that provide services to individuals with developmental disabilities.

BY repealing and reenacting, with amendments,
~~Article – State Government~~

~~Section 10-226(e)
Annotated Code of Maryland
(2014 Replacement Volume)~~

Article – Health – General
Section 7-910
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 602 – Delegates Glenn, Cullison, Gaines, Hill, Kelly, Kittleman, Lam, McCray, McMillan, Morales, Morhaim, B. Robinson, and K. Young

AN ACT concerning

~~**Maryland Health Care Commission – University of Maryland School of Medicine – Workgroup to Study Issues Related to Uterine Fibroids – Study**~~

FOR the purpose of requiring the ~~Maryland Health Care Commission~~, in consultation with University of Maryland School of Medicine to convene a workgroup that includes representatives from the Department of Health and Mental Hygiene, certain experts, and interested stakeholders, to ~~conduct a study of~~ study workgroup to examine the incidence of uterine fibroids in the State; requiring the ~~study workgroup~~ to examine certain issues; requiring, on or before a certain date, the ~~Commission~~ University of Maryland School of Medicine to report certain findings to certain committees of the General Assembly; and generally relating to the ~~Maryland Health Care Commission and a study of~~ workgroup convened by the University of Maryland School of Medicine to study issues related to uterine fibroids.

Read the first time and referred to the Committee on Finance.

House Bill 629 – Delegates Pena–Melnik, Glenn, Gutierrez, Hayes, Kelly, Kipke, Lam, Morhaim, Oaks, B. Robinson, and M. Washington

AN ACT concerning

Health Occupations – Alcohol and Drug Counselors – Qualifications and Practice Limitations

FOR the purpose of altering the qualifications individuals are required to meet to be licensed to practice clinical alcohol and drug counseling, to qualify to practice as a licensed graduate alcohol and drug counselor under supervision for a limited period of time, to qualify as a certified associate counselor–alcohol and drug, or to qualify as a certified supervised counselor–alcohol and drug; requiring a certified associate counselor–alcohol and drug to practice under the supervision of a Board–approved alcohol and drug supervisor who meets certain requirements; providing that a

certified associate counselor–alcohol and drug may only provide counseling as an employee of a certain agency or facility and under the supervision of a certain supervisor; prohibiting a certified associate counselor–alcohol and drug from practicing independently; requiring a certified supervised counselor–alcohol and drug to practice under the supervision of a Board–approved alcohol and drug supervisor who meets certain requirements; providing that a certified supervised counselor–alcohol and drug may only provide counseling as an employee of a certain agency or facility and under the supervision of a certain supervisor; prohibiting a certified supervised counselor–alcohol and drug from providing supervision or practicing independently; making conforming and clarifying changes; and generally relating to qualifications for and practice of alcohol and drug counselors.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 17–302, 17–309(a) and (c), 17–403, and 17–404

Annotated Code of Maryland

(2014 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 17–309(b)

Annotated Code of Maryland

(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 716 – Delegates Pena–Melnyk, Krebs, Barron, Bromwell, Cullison, Hayes, Hill, and Oaks

AN ACT concerning

Health Occupations – Prescriber–Pharmacist Agreements and Therapy Management Contracts

FOR the purpose of authorizing certain ~~dentists, physicians, podiatrists, nurse midwives, and nurse practitioners~~ and advanced practice nurses to enter into certain agreements; requiring certain prescribers who wish to enter certain therapy management contracts to have certain agreements; requiring certain prescribers and certain pharmacists to submit to certain health occupations boards certain documents; authorizing certain pharmacists to enter into certain agreements and certain contracts under certain circumstances; prohibiting certain pharmacists from employing or providing certain incentives to certain prescribers for certain purposes; providing that a ~~certain~~ protocol by a licensed physician and licensed pharmacist may authorize the initiation of certain drug therapy; ~~providing that certain protocols may authorize certain drug substitutions; repealing a certain prohibition against certain drug substitutions except under certain circumstances; repealing a provision~~

of law that provides for the termination of a therapy management contract after a certain time period unless there is a certain renewal; specifying that certain contracts apply only to conditions agreed to by certain prescribers; requiring certain contracts to include certain provisions; authorizing the Board of Pharmacy to assess certain fees for certain purposes; requiring certain prescribers to maintain certain records in a certain manner; requiring certain health occupations boards to jointly adopt certain regulations in consultation with certain other health occupations boards; requiring the regulations to include certain provisions; defining certain terms; making certain stylistic changes; and generally relating to prescriber–pharmacist agreements and therapy management contracts.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–6A–01, 12–6A–03 through 12–6A–08, and 12–6A–10

Annotated Code of Maryland

(2014 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–6A–02

Annotated Code of Maryland

(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 729 – Delegates Angel, Barron, Frush, Gaines, Haynes, Jalisi, Kelly, McComas, B. Robinson, Smith, and B. Wilson

AN ACT concerning

State Board of Morticians and Funeral Directors – Cease and Desist Orders and Injunctive Relief – Authority

FOR the purpose of authorizing the State Board of Morticians and Funeral Directors to issue a public cease and desist order or ~~obtain injunctive relief~~ impose a civil fine of no more than a certain amount for certain violations of certain provisions of law under certain circumstances; ~~making a technical correction~~ providing that each violation of certain provisions of law is a separate offense under certain circumstances; and generally relating to the State Board of Morticians and Funeral Directors.

~~BY repealing and reenacting, with amendments,~~

~~Article – Health Occupations~~

~~Section 7–316.1~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume)~~

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 7–501 and 7–502

Annotated Code of Maryland

(2014 Replacement Volume)

BY adding to

Article – Health Occupations

Section 7–509

Annotated Code of Maryland

(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 190 – Senators Madaleno, Eckardt, Guzzone, King, and Manno

AN ACT concerning

Sales and Use Tax – Taxable Price – Accommodations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (6)
OFFERED FROM THE FLOOR BY SENATOR SERAFINI.

FLOOR AMENDMENT

SB0190/963526/1

BY: Senator Serafini

AMENDMENTS TO SENATE BILL 190, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in lines 3 and 7, in each instance, strike “clarifying” and substitute “altering”.

AMENDMENT NO. 2

In the Budget and Taxation Committee Amendments (SB0190/509532/1), in line 2 of Amendment No. 1, strike “(a-4)”.

AMENDMENT NO. 3

On page 1 of the bill, strike line 24 in its entirety.

On page 2 of the bill, strike in their entirety lines 1 through 6, inclusive.

AMENDMENT NO. 4

In the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 2, strike “(A-3)”, “(A-4)”, “(A-2)”, and “(A-3)”.

AMENDMENT NO. 5

On page 2 of the bill, before line 20, insert:

“(A-2) “ACCOMMODATION FEE” MEANS A FEE CHARGED BY AN ACCOMMODATIONS INTERMEDIARY TO A BUYER OF AN ACCOMMODATION FOR FACILITATING THE SALE OR USE OF THE ACCOMMODATION.”

AMENDMENT NO. 6

In the Budget and Taxation Committee Amendments, in line 6 of Amendment No. 3, strike the comma and substitute “:

(I) AN ACCOMMODATION FEE THAT IS STATED AS A SEPARATE ITEM OF CONSIDERATION FOR THE SALE OR USE OF AN ACCOMMODATION; OR

(II)”.

The preceding 6 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 29 (See Roll Call No. 514)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 515)

ADJOURNMENT

At 10:35 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 21, 2015, Calendar Day, Tuesday, March 24, 2015.

Annapolis, Maryland
Legislative Day: March 21, 2015
Calendar Day: Tuesday, March 24, 2015
10:00 A.M. Session

The Senate met at 10:05 A.M.

Prayer by Reverend Robert E. Slade, Grace United Methodist Church, guest of Senator Currie.

(See Exhibit A of Appendix III)

The Journal of March 20, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 517)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 518)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #42

Senate Bill 331 – Senator Klausmeier

AN ACT concerning

Workers' Compensation – Baltimore County Deputy Sheriff

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 519)

The Bill was then sent to the House of Delegates.

Senate Bill 371 – Senator Rosapepe

AN ACT concerning

State Highway Administration – Bicycle and Pedestrian Priority Areas

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 520)

The Bill was then sent to the House of Delegates.

Senate Bill 458 – ~~Senators Zirkin and Raskin~~, Raskin, Currie, Ferguson, Guzzone, Kagan, Kelley, Madaleno, Montgomery, Muse, Nathan-Pulliam, Pinsky, Ramirez, and Young

AN ACT concerning

Civil Actions – Hydraulic Fracturing Liability Act

Senator Waugh moved, duly seconded, to re-refer **Senate Bill 458** to the Committee on Education, Health, and Environmental Affairs.

The motion was rejected by a roll call vote as follows:

Affirmative – 13 Negative – 32 (See Roll Call No. 521)

Read the third time and passed by yeas and nays as follows:

Affirmative – 29 Negative – 17 (See Roll Call No. 522)

The Bill was then sent to the House of Delegates.

**Senate Bill 469 – ~~Senators Madaleno, Benson, Feldman, Klausmeier, and Pugh~~
Pugh, Mathias, and Middleton**

AN ACT concerning

Public Health – Maryland Behavioral Health Crisis Response System

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 523)

The Bill was then sent to the House of Delegates.

Senate Bill 471 – Senators Nathan–Pulliam, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kelley, Lee, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Ramirez, Raskin, Rosapepe, and Young

AN ACT concerning

Task Force to Study the Provision of Health Care Coverage to Uninsured Marylanders

Read the third time and passed by yeas and nays as follows:

Affirmative – 33 Negative – 13 (See Roll Call No. 524)

The Bill was then sent to the House of Delegates.

Senate Bill 535 – Senators Madaleno, Montgomery, and Rosapepe

AN ACT concerning

Community Colleges – Tuition Waiver for Disabled Individuals – Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 525)

The Bill was then sent to the House of Delegates.

Senate Bill 564 – Senators Peters, Benson, Currie, Muse, and Ramirez

AN ACT concerning

Prince George’s County – Maryland–Washington Regional District – Fairness in Zoning

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 526)

The Bill was then sent to the House of Delegates.

Senate Bill 624 – Senators Currie, Bates, Ferguson, Guzzone, King, Madaleno, Montgomery, Rosapepe, and Waugh

AN ACT concerning

Task Force to Study the Expansion of Career and Technical Education in Maryland

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 527)

The Bill was then sent to the House of Delegates.

Senate Bill 673 – Senator Young

AN ACT concerning

Alcoholic Beverages – Brewing Company Off-Site Permit and Nonprofit Beer Festival Permit

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 528)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #43

Senate Bill 160 – Senators Montgomery, Benson, Guzzone, Kelley, and Raskin

AN ACT concerning

State Board of Morticians and Funeral Directors – Cease and Desist Orders and Injunctive Relief – Authority

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 2 (See Roll Call No. 529)

The Bill was then sent to the House of Delegates.

Senate Bill 374 – The President (By Request – Office of the Attorney General) and Senators Raskin, Benson, Brochin, Conway, Feldman, Gladden, Hough, King, Lee, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, Pugh, ~~and Ramirez~~ Ramirez, and Rosapepe

AN ACT concerning

Maryland False Claims Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 530)

The Bill was then sent to the House of Delegates.

Senate Bill 416 – Senators Kagan, Conway, Currie, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Madaleno, Manno, McFadden, Montgomery, Pinsky, Pugh, Raskin, Rosapepe, Waugh, and Young

AN ACT concerning

Health Insurance – ~~Mandated Benefits – In Vitro Fertilization and Artificial Insemination Procedures~~ Coverage for Infertility Services

Senator Simonaire moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 439 – Senator McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Tax Sales

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 531)

The Bill was then sent to the House of Delegates.

Senate Bill 553 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Motor Clubs – Scope of Law – Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 532)

The Bill was then sent to the House of Delegates.

Senate Bill 613 – Senators Astle, Bates, Feldman, Guzzone, Hershey, Jennings, and Klausmeier

AN ACT concerning

**Self-Service Storage Facilities – Enforcement of Lien – ~~Advertisement of Sale~~
Procedures**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 533)

The Bill was then sent to the House of Delegates.

Senate Bill 640 – Senators Serafini, Bates, Eckardt, Edwards, Hough, Salling, and Simonaire

AN ACT concerning

State Retirement and Pension System – Actuarial Stress Tests

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 534)

The Bill was then sent to the House of Delegates.

Senate Bill 702 – Senators Jennings, Klausmeier, and Salling

AN ACT concerning

**Baltimore County – Property Tax Credit – Homes Near a Refuse Disposal
System**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 535)

The Bill was then sent to the House of Delegates.

Senate Bill 867 – Senators Peters, Currie, Miller, and Muse

AN ACT concerning

Prince George’s County Board of Education – Public High Schools – Outdoor Synthetic Turf Fields

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 2 (See Roll Call No. 536)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #44

Senate Bill 400 – Senators Pugh, Bates, Benson, Eckardt, Feldman, Guzzone, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, Middleton, Montgomery, Nathan–Pulliam, Peters, Reilly, Young, and Ready

AN ACT concerning

State Government – Commemorative Months – Alzheimer’s and Brain Awareness Month

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 537)

The Bill was then sent to the House of Delegates.

Senate Bill 484 – Senator Simonaire

AN ACT concerning

Anne Arundel County Public Schools Funding Accountability and Transparency Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 538)

The Bill was then sent to the House of Delegates.

Senate Bill 556 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

EMERGENCY BILL

AN ACT concerning

Health Insurance – Conformity With Federal Law

Read the third time and passed by yeas and nays as follows:

Affirmative – 36 Negative – 11 (See Roll Call No. 539)

The Bill was then sent to the House of Delegates.

Senate Bill 573 – Senator Kelley

AN ACT concerning

Insurance – Standard Valuation Law and Reserve and Nonforfeiture Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 540)

The Bill was then sent to the House of Delegates.

Senate Bill 677 – Senator Ferguson

AN ACT concerning

Education – Professional Development for Teachers and Providers of Early Childhood Education – Master Plan

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 541)

The Bill was then sent to the House of Delegates.

Senate Bill 763 – Senators Peters, DeGrange, Kasemeyer, King, and Miller

AN ACT concerning

Tax Amnesty Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 542)

The Bill was then sent to the House of Delegates.

Senate Bill 802 – Senators Cassilly, Astle, Eckardt, Edwards, Hershey, Hough, Jennings, Muse, Peters, Reilly, Salling, Serafini, ~~and Simonaire~~ Simonaire, Benson, Feldman, Klausmeier, Mathias, and Pugh

AN ACT concerning

**~~State Highway Administration~~ Department of Transportation – Dedication of Structures – Gold Star Families
(Hero’s Highway Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 543)

The Bill was then sent to the House of Delegates.

Senate Bill 847 – Senators Miller and Jennings

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Judges – Mandatory Retirement Age

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 544)

The Bill was then sent to the House of Delegates.

Senate Bill 909 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

**Tri-County Council for Southern Maryland – ~~Powers~~ Property Interests
Purchase**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 545)

The Bill was then sent to the House of Delegates.

Senate Bill 910 – Senators Middleton, Astle, Conway, DeGrange, Edwards, Hershey, Jennings, Kasemeyer, Kelley, Klausmeier, ~~and McFadden~~ McFadden, Benson, Feldman, Mathias, Pugh, and Reilly

AN ACT concerning

Motor Vehicle Insurance – Entry-Level Commercial Truck Driver’s License Holders – Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 546)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #45

Senate Bill 70 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Orders of Summary Suspension – ~~Prohibition on~~ Stays

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 9 (See Roll Call No. 547)

The Bill was then sent to the House of Delegates.

Senate Bill 107 – Senator Conway

EMERGENCY BILL

AN ACT concerning

Public Safety – Hotels – Carbon Monoxide Alarms

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 548)

The Bill was then sent to the House of Delegates.

Senate Bill 190 – Senators Madaleno, Eckardt, Guzzone, King, ~~and Manne~~ Manno, and McFadden

AN ACT concerning

Sales and Use Tax – Taxable Price – Accommodations

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 549)

The Bill was then sent to the House of Delegates.

Senate Bill 199 – Senator Conway

AN ACT concerning

Public Health – Opioid Maintenance Programs – Licensing

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 550)

The Bill was then sent to the House of Delegates.

Senate Bill 216 – ~~Senator Kelley~~ Senators Kelley, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Pugh, and Reilly

AN ACT concerning

**Maryland Medical Assistance Program – Guardianship Commissions and Fees –
Income Deduction**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 551)

The Bill was then sent to the House of Delegates.

Senate Bill 339 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Baltimore City – Belvedere Square

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 552)

The Bill was then sent to the House of Delegates.

Senate Bill 513 – Senator Klausmeier

AN ACT concerning

**Hospitals – Rate-Setting – Participation in 340B Program Under the Federal
Public Health Service Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 553)

The Bill was then sent to the House of Delegates.

**Senate Bill 534 – Senators Madaleno, King, Montgomery, Raskin, Rosapepe,
Waugh, and Young**

AN ACT concerning

**Higher Education – College Admissions Outreach Program for High-Achieving
Students – Establishment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 554)

The Bill was then sent to the House of Delegates.

Senate Bill 711 – Senator Raskin

AN ACT concerning

**Election Law – Voting by Absentee Ballot – Prepaid Postage for the Return of
Ballots**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 555)

The Bill was then sent to the House of Delegates.

Senate Bill 720 – Senators Ready, Hough, and Bates

AN ACT concerning

Maryland Income Tax Refunds – Carroll County – Warrant Intercept Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 556)

The Bill was then sent to the House of Delegates.

Senate Bill 743 – Senators Lee, Guzzone, Kagan, King, Madaleno, Manno, Montgomery, Nathan–Pulliam, Pugh, ~~and Raskin~~ Raskin, Feldman, and Kelley

AN ACT concerning

Vital Records – New Certificates of Birth – Sex Change or Diagnosis of an Intersex Condition

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 16 (See Roll Call No. 557)

The Bill was then sent to the House of Delegates.

Senate Bill 755 – Senator Simonaire

AN ACT concerning

Election Law – Campaign Finance – Central Committee Candidates

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 558)

The Bill was then sent to the House of Delegates.

Senate Bill 757 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – ~~Drug Overdose Prevention~~ Prescription Drug Monitoring Program – Required Disclosures

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 559)

The Bill was then sent to the House of Delegates.

Senate Bill 758 – Senator Kagan

AN ACT concerning

State Government – Equal Access to Public Services for Individuals With Limited English Proficiency – Web SitesRead the third time and passed by yeas and nays as follows:

Affirmative – 39 Negative – 8 (See Roll Call No. 560)

The Bill was then sent to the House of Delegates.**Senate Bill 766 – ~~Senator Ready~~ Senators Ready, Manno, Currie, Edwards, Serafini, and Eckardt**

AN ACT concerning

Agricultural Land Transfer Tax – ~~Application~~ Rate DeterminationRead the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 561)

The Bill was then sent to the House of Delegates.**THIRD READING CALENDAR (SENATE BILLS) #46****CONSENT CALENDAR #2**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 313	Sen. Ramirez	Prince George's Co – Alc Bevs – Underage Indivs at Sp Entertainment Events in the 47th Leg Dist	EHE
SB 369	Sen. Rosapepe	Prince George's County – City of College Park – Class D Beer and Wine License	EHE
SB 423	Sen. Rosapepe	Alcoholic Beverages – Towne Centre at Laurel – Class A License	EHE

SB 426	Sen. Madaleno	Montgomery County – Alcoholic Beverages – Waiver of License Requirements	EHE
SB 715	Sen. Edwards	Alcoholic Beverages – Garrett County – Multiple Event License	EHE
SB 719	Sen. Ready	Carroll County – Alcoholic Beverages – Hours of Sale on Sundays for Holders of Class A Licenses	EHE
SB 750	Washington County Senators	Washington County – Alcoholic Beverages – Conversion of Class P Licenses	EHE
SB 818	Sen. Nathan–Pulliam	Alcoholic Beverages – Baltimore City – Transfer or Issuance of Licenses	EHE
SB 866	Sen. Peters	Prince George’s County – Alcoholic Beverages – Licenses, Salaries, Inspectors, and Bottle Clubs	EHE
SB 902	Sen. Young	Frederick County – Alcoholic Beverages Licenses	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 2 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 562)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #47

Senate Bill 792 – ~~Senator Astle~~ Senators Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

EMERGENCY BILL

AN ACT concerning

Public Health – Nondiscrimination in Access to Anatomical Gifts and Organ Transplantation

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 563)

The Bill was then sent to the House of Delegates.

Senate Bill 808 – Senators Klausmeier, Bates, Brochin, Montgomery, Pinsky, ~~and Reilly~~ Reilly, and Simonaire

AN ACT concerning

Natural Resources – Aquaculture – Liability for Trespass

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 564)

The Bill was then sent to the House of Delegates.

Senate Bill 816 – Senator Rosapepe

AN ACT concerning

Higher Education – Low-Income Student Outreach and College Access Act of 2015

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 565)

The Bill was then sent to the House of Delegates.

Senate Bill 824 – Senator Edwards

AN ACT concerning

Maryland Income Tax Refunds – Allegany County – Warrant Intercept Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 566)

The Bill was then sent to the House of Delegates.

Senate Bill 829 – Senator Conway

AN ACT concerning

**Audiologists and Speech–Language Pathologists – Licensure Exemption –
Clinical Training**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 567)

The Bill was then sent to the House of Delegates.

Senate Bill 830 – Senator Conway

AN ACT concerning

**Health Occupations – Professional Counselors and Therapists – Provisional
Licenses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 568)

The Bill was then sent to the House of Delegates.

Senate Bill 838 – Senator Waugh

AN ACT concerning

St. Mary’s County – Animal Regulations

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 569)

The Bill was then sent to the House of Delegates.

Senate Bill 844 – Senators Young and Hough

AN ACT concerning

Frederick County – Deer Management Permit – Use of Rifles

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 570)

The Bill was then sent to the House of Delegates.

Senate Bill 852 – Senators Young, Kagan, Klausmeier, Montgomery, and Ready

AN ACT concerning

**Public Information Act – List of Contact Information for Governmental Unit
Representatives**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 571)

The Bill was then sent to the House of Delegates.

Senate Bill 855 – Eastern Shore Senators

AN ACT concerning

**Maryland Income Tax Refunds – Eastern Shore Counties – Warrant Intercept
Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 572)

The Bill was then sent to the House of Delegates.

Senate Bill 864 – Senator Klausmeier

AN ACT concerning

**State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration
Contractors – Cease and Desist Orders – Authority**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 573)

The Bill was then sent to the House of Delegates.

Senate Bill 865 – ~~Senator Peters~~ Senators Peters and Waugh

AN ACT concerning

**Edward T. and Mary A. Conroy and Jean B. Cryor Memorial Scholarship
Programs – Eligibility**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 574)

The Bill was then sent to the House of Delegates.

Senate Bill 886 – Senators Hough and Young

AN ACT concerning

**Frederick County Property Tax Fairness Act of 2015
(Strengthening Frederick Municipalities)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 575)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 416 – Senators Kagan, Conway, Currie, Feldman, Ferguson, Guzzone,
Kelley, King, Lee, Madaleno, Manno, McFadden, Montgomery, Pinsky,
Pugh, Raskin, Rosapepe, Waugh, and Young**

AN ACT concerning

**Health Insurance – ~~Mandated Benefits – In Vitro Fertilization and Artificial
Insemination Procedures~~ Coverage for Infertility Services**

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Simonaire moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 274 – Frederick County Delegation

AN ACT concerning

Frederick County – Gaming Events

FOR the purpose of authorizing certain organizations in Frederick County to conduct a card game, card tournament, or casino event under certain circumstances; requiring an organization to obtain a permit from the County Department of Permits and Inspections before conducting a card game, card tournament, or casino event; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or casino event may be managed and organized by certain organizations; requiring an individual who participates in or ~~helps operate~~ volunteers as an operator of a card game, card tournament, or casino event to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on a card game, card tournament, or casino event; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino event be used for certain purposes and may not be used for certain other purposes subject to a certain exception; specifying that the operation of a card game, card tournament, or casino event may not occur during a certain time; authorizing a permit holder under this Act to charge only a preset entrance fee; requiring participants in a card game, card tournament, or casino event to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report and certain information about winners of certain prizes to the County Department of Permits and Inspections under certain circumstances; requiring the Department to forward a certain report and certain information to the State Lottery and Gaming Control Commission; authorizing the County Executive and County Council to adopt certain regulations; providing a certain penalty; defining certain terms; and generally relating to gaming in Frederick County.

BY adding to

Article – Criminal Law

Section 13–1304.1

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 280 – Carroll County Delegation

AN ACT concerning

Carroll County – Table Gaming Events

FOR the purpose of authorizing certain organizations in Carroll County to conduct a card game, card tournament, or table gaming event under certain circumstances; requiring an organization to obtain a certain permit from the Board of County Commissioners for Carroll County before conducting a card game, card tournament, or table gaming event; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or table gaming event may be managed and organized by certain organizations; prohibiting an operator of a card game, card tournament, or table gaming event from receiving compensation; requiring individuals who participate in or help operate a card game, card tournament, or table gaming event to be of certain ages; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on a card game, card tournament, or table gaming event; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or table gaming event be used for certain purposes and may not be used for certain other purposes, subject to a certain exception; specifying that the operation of a card game, card tournament, or table gaming event may not occur during a certain time; authorizing a permit holder under this Act to charge only a preset entrance fee; requiring participants in a card game, card tournament, or table gaming event to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a certain financial report and certain information about winners of prizes under certain circumstances; requiring the Board of County Commissioners to forward a certain report and certain information to the State Lottery and Gaming Control Commission; authorizing the Board of County Commissioners to adopt certain regulations; providing a certain penalty; defining certain terms; and generally relating to gaming in Carroll County.

BY adding to

Article – Criminal Law

Section 13–906.1

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 286 – Delegates O’Donnell and Fisher

AN ACT concerning

Highways Calvert and St. Mary’s Counties – Scenic Byways – Signs

FOR the purpose of authorizing the State Highway Administration to issue a permit for a certain sign along or near a scenic byway on a federal–aid primary highway in

Calvert County or St. Mary's County in conformance with federal law if the sign was erected on or before a certain date or is a directional sign for a certain facility located in a certain area; establishing certain standards for a sign erected under this Act; requiring the State Highway Administration to adopt a plan and appropriate policies to implement this Act on or before a certain date; and generally relating to signs erected along scenic byways in Calvert and St. Mary's counties.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–730
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 300 – Delegates Korman, Platt, Angel, Barkley, D. Barnes, Barron, Campos, Carr, Cullison, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Gilchrist, Gutierrez, Hettleman, Jackson, Kaiser, Kelly, Knotts, Kramer, Krebs, Krimm, Lam, Luedtke, A. Miller, Moon, Morales, Reznik, S. Robinson, Smith, Tarlau, Valderrama, Waldstreicher, A. Washington, M. Washington, K. Young, and Zucker

AN ACT concerning

**Department of Transportation – Washington Metropolitan Area Transit
Authority Services – Utilization Study**

FOR the purpose of requiring the Department of Transportation, in cooperation with the Washington Metropolitan Area Transit Authority, to study certain matters relating to the utilization of transportation services provided by the Authority with a certain frequency; requiring the Department to collect, analyze, and evaluate certain information; requiring that the information used in the study be gathered from data obtained within a certain period of time, subject to a certain exception; requiring that information used in the study pertaining to Maryland jurisdictions be organized in a certain manner; requiring the Department to submit a certain report to the Governor and certain committees of the General Assembly on or before a certain date with a certain frequency; ~~providing for the termination of this Act~~; and generally relating to a study of the utilization of transportation services provided by the Washington Metropolitan Area Transit Authority.

BY adding to
Article – Transportation
Section 7–708
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 313 – Delegate Beidle

AN ACT concerning

**Motor Vehicle Administration – Temporary Registration Plates – Regulations
Vehicle Laws – Dealers – Financing or Leasing Agreements**

FOR the purpose of ~~requiring the Motor Vehicle Administration to adopt regulations to govern the issuance of a temporary registration plate to a vehicle buyer that accepts delivery of the vehicle before all the agreements of the parties become final; and generally relating to regulations governing the issuance of temporary registration plates~~ requiring that a certain notice be provided to a buyer purchasing a vehicle through dealer-arranged financing or leasing before approval of a third-party financial institution has been received; requiring a dealer to notify a buyer in writing if the terms of a certain financing or lease agreement are not approved by a third party finance source within a certain period of time; requiring a buyer to return a vehicle to a dealer within a certain period of time under certain circumstances; authorizing a dealer to repossess a vehicle in accordance with certain provisions of law under certain circumstances; authorizing a dealer and a buyer to agree on new financing or leasing terms under certain circumstances; authorizing a dealer or a buyer to cancel a sale under certain circumstances; requiring a dealer to return any trade-in vehicle, down payment, titling fee and excise tax, dealer processing charge, and any other fee, tax, or charge to a buyer if a certain sale is canceled; prohibiting a dealer from charging a fee to a buyer for the use of a vehicle if a certain sale is canceled; stating that certain provisions of law apply to a financing or lease agreement between a dealer and a buyer; and generally relating to sales contracts and financing or leasing agreements for vehicles.

~~BY repealing and reenacting, with amendments,
Article – Transportation
Section 13-602
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)~~

BY adding to
Article – Transportation
Section 15-311.3
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 387 – Delegate Glass

AN ACT concerning

Harford County – Archery Hunting – Safety Zone

FOR the purpose of altering the size of the safety zone for archery hunters in Harford County within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in Harford County.

BY repealing and reenacting, with amendments,
 Article – Natural Resources
 Section 10–410(g)
 Annotated Code of Maryland
 (2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 466 – Delegates Folden, Adams, Afzali, Anderton, Angel, Arentz, Atterbeary, B. Barnes, Buckel, Campos, Carozza, Cassilly, Cluster, Dumais, Ebersole, Ghrist, Glass, Grammer, Hornberger, S. Howard, Impallaria, Jackson, Jacobs, Jalisi, Kelly, Kipke, Kittleman, Knotts, Kramer, Krebs, Krimm, Lisanti, Long, Mautz, McComas, McConkey, McCray, McDonough, McKay, McMillan, Metzgar, Miele, W. Miller, Moon, Morales, Morgan, Otto, Reilly, Rey, Saab, Shoemaker, Simonaire, Smith, Sophocleus, Sydnor, Szeliga, Valderrama, Valentino–Smith, Vallario, Vitale, Vogt, West, B. Wilson, C. Wilson, K. Young, P. Young, and Ciliberti

AN ACT concerning

~~State Highway Administration~~ **Transportation – Dedication of Structures – Gold Star Families**
(Hero’s Highway Act)

FOR the purpose of requiring the ~~State Highway Administration~~ Department of Transportation to establish a process by which ~~a member of the General Assembly~~ certain persons may request, ~~on behalf of a United States Department of Defense Gold Star recipient,~~ that the Administration dedicate a bridge or other appropriate structure to ~~the recipient’s spouse, child, or other relative whose life was lost in combat~~ a certain member of the armed forces or a certain emergency responder; and generally relating to ~~State highways~~ the dedication of State highways.

BY adding to
 Article – Transportation
 Section 8–656
 Annotated Code of Maryland
 (2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 506 – Delegate Anderson (By Request – Baltimore City Administration)
and Delegates Conaway, Glenn, Haynes, and B. Robinson**

AN ACT concerning

Baltimore City – Vehicle Laws – Traffic Safety

FOR the purpose of adding Baltimore City to the list of local authorities that under certain circumstances may impose certain weight and speed restrictions on vehicles passing over a bridge or culvert under the jurisdictions of the local authorities without the approval of the State Highway Administration; ~~authorizing a Baltimore City special traffic enforcement officer to issue a citation for certain violations of the Maryland Vehicle Law;~~ and generally relating to traffic safety in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 24–206(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–206(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

~~BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–16C(e)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 469 of the Acts of the General Assembly of 2003, as amended
by Chapter 511 of the Acts of the General Assembly of 2006)~~

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 652 – Montgomery County Delegation and Prince George’s County
Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Montgomery
County – Commissioner Terms
MC/PG 105–15**

FOR the purpose of authorizing a commissioner appointed from Montgomery County ~~who is designated as chair or vice chair of the Commission to be reappointed for two~~

~~additional consecutive full terms as long as that commissioner continues to serve as chair or vice chair of the Commission; making a stylistic change to be appointed for a certain number of full terms as a member of the Maryland–National Capital Park and Planning Commission if the commissioner is designated as chair of the Montgomery County Planning Board during a certain term in office; providing for the application of this Act; and generally relating to the terms of the commissioners of the Maryland–National Capital Park and Planning Commission appointed from Montgomery County.~~

BY repealing and reenacting, with amendments,
Article – Land Use
Section 15–102
Annotated Code of Maryland
(2012 Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 653 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Regulation of Off–Highway Recreational Vehicles ~~in Prince George’s County~~
MC/PG 114–15**

FOR the purpose of requiring the Maryland–National Capital Park and Planning Commission, ~~in conjunction with the Prince George’s County Department of Parks and Recreation,~~ to adopt regulations governing the use of off–highway recreational vehicles on Commission property ~~located in Prince George’s County.~~

BY repealing and reenacting, with amendments,
Article – Land Use
Section 17–207
Annotated Code of Maryland
(2012 Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–140.1
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 655 – Delegate Glass

AN ACT concerning

Harford County – Sunday Hunting – Deer Bow Hunting Season

FOR the purpose of authorizing a person to hunt deer on private property in Harford County with a bow and arrow or crossbow during open season on a certain Sunday in January, subject to certain provisions of law; and generally relating to hunting in Harford County.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–410(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)(2)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 675 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland National Capital Park and Planning Commission Reform Act of 2015
Prince George’s County – Maryland National Capital Park and Planning
Commission – Performance Audit
MC/PG 104–15

FOR the purpose of ~~establishing that the Maryland Youth Camp Act and the regulations issued under the Act apply to programs and activities directed or operated by the Maryland National Capital Park and Planning Commission in Prince George’s County; altering a certain defined term to repeal the authority of the Commission to receive funds and determine an annual program in Prince George’s County under Program Open Space; prohibiting the Commission from purchasing certain interests or rights in real property in Prince George’s County for the preservation of open space without the prior approval of the Prince George’s County Council acting in a certain capacity; repealing the delegation to the Commission of the authority granted to Prince George’s County relating to the Patuxent River Watershed plan; requiring the Clerk of the Circuit Court for Prince George’s County to charge the Commission a certain recordation fee; repealing an exemption from State requirements for public~~

~~improvements for Commission projects in Prince George's County; requiring the Office of Legislative Audits in the Department of Legislative Services to conduct a certain performance audit of the Commission on request of a certain person; requiring the Department, on or before a certain date, to conduct a comprehensive evaluation of the Commission's operations and activities relating to Prince George's County and to submit a certain report to the General Assembly; requiring the Department to conduct a certain subsequent evaluation on request of a certain person; requiring the Commission during a certain evaluation to promptly provide certain information and cooperate with the Department to carry out certain requirements; authorizing the Commission to provide certain information in a format that protects the confidentiality of individuals; requiring the Department to follow procedures to maintain the confidentiality of certain information, documents, or proceedings; defining a certain term; and generally relating to the powers of the Maryland National Capital Park and Planning Commission~~ requiring the Office of Legislative Audits to conduct a performance audit evaluating certain Maryland National Capital Park and Planning Commission project management practices in Prince George's County; requiring the Office of Legislative Audits, before initiating the audit, to coordinate with the Commission to develop the scope of the audit and submit the scope of the audit to the Joint Audit Committee for approval; specifying the scope of the audit; requiring that the Office of Legislative Audits have access to and be allowed to inspect certain records for the purpose of performing the audit; and generally relating to a performance audit of the Commission's project management practices in Prince George's County.

~~BY repealing and reenacting, with amendments,
Article — Health — General
Section 14 — 402(a)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Health — General
Section 14 — 411
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Natural Resources
Section 5 — 901(a) and 5 — 903(b)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Natural Resources
Section 5 — 901(g), 5 — 1202(a), 8 — 1301, and 8 — 1304
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Real Property
Section 3-603
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — State Finance and Procurement
Section 4-402(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — State Government
Section 2-1201(a) and (b)
Annotated Code of Maryland
(2014 Replacement Volume)~~

~~BY adding to
Article — State Government
Section 2-1220(g) and 2-1250
Annotated Code of Maryland
(2014 Replacement Volume)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 742 – Delegates Hayes, Barron, Cullison, Miele, and Saab

AN ACT concerning

State Board for the Certification of Residential Child Care Program Professionals – Revisions

FOR the purpose of altering the requirements for the designation and appointment of a certain program administrator of a residential child care program under certain circumstances; requiring the State Board for the Certification of Residential Child Care Program Professionals to evaluate the moral character of an acting residential child care program administrator; requiring the governing body of a residential child care program to appoint a chief administrator of the program; making certain provisions of law that apply to the owner of a residential child care program apply instead to the chief administrator of the program; providing for the designation of an acting chief administrator under certain circumstances; altering the period of time during which a noncertified person may serve in the capacity of acting program administrator; requiring, unless waived by the Board, an applicant for a program administrator certificate and a residential child and youth care practitioner

certificate to have completed a child protective services background clearance to qualify for a certificate; requiring an applicant for a certificate or for renewal or reinstatement of a certificate to provide evidence of application for a child protective services background clearance; requiring the results of the child protective services background clearance to be provided to the Board and the applicant; authorizing the Board to waive, for certain applicants, the required evidence of application for a child protective services background clearance under certain circumstances; altering the requirements for an applicant to obtain a criminal history records check; restricting the use of information obtained from a criminal history records check; authorizing the subject of a criminal history records check to contest the contents of a certain statement; clarifying the types of addresses that a certain application file must contain; requiring an applicant to provide evidence of completing a national criminal history records check before the Board may grant a waiver of a certain examination requirement; requiring an applicant to whom the Board has issued a certificate to maintain on file and update certain addresses; authorizing the Board to take certain disciplinary action if an applicant or a certificate holder fails to maintain certain addresses on file or notify the Board of certain address changes; repealing certain obsolete provisions of law; defining certain terms; and generally relating to the State Board for the Certification of Residential Child Care Program Professionals.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 20–101, 20–301 through 20–304, 20–306, 20–307, 20–310, 20–311, and 20–313

Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 793 – Washington County Delegation

AN ACT concerning

Washington County – County Clerk

FOR the purpose of altering the duties of the County Clerk of Washington County; repealing a requirement that the County Clerk execute a certain bond before beginning the duties of the office; repealing a requirement that the bond of the County Clerk be recorded and be liable for a certain default or misappropriation of certain money or funds; repealing a requirement that each Washington County agency file with the County Clerk the names and addresses of all attorneys representing the agency; repealing a requirement that each Washington County agency file with the County Clerk the names and addresses of all members of the agency who are attorneys; repealing requirements that the County Clerk maintain certain lists of names filed by each Washington County agency; and generally relating to the County Clerk of Washington County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 1–202(a), 3–602, and 3–603
Article 22 – Public Local Laws of Maryland
(2007 Edition and October 2010 Supplement, as amended)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 811 – Delegates Hornberger, Buckel, Cassilly, ~~and Metzgar~~ Metzgar,
and Jalisi**

AN ACT concerning

Vehicle Laws – Historic Motor Vehicles – Minimum Age

FOR the purpose of increasing the age that a motor vehicle must attain in order to be eligible for registration as a historic motor vehicle; providing for the prospective application of this Act; and generally relating to historic motor vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–936
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 818 – Delegates Fraser–Hidalgo, Pena–Melnik, Barkley, Carr, Morales,
and Smith**

AN ACT concerning

Vehicle Laws – Rules of the Road – Lane Changes

FOR the purpose of altering the circumstances under which a driver may move out of or into a lane by authorizing the move when ~~it is safe to do so rather than when~~ the driver has reasonably determined it is safe to do so; so and activated the appropriate turn signal; prohibiting a person from moving a vehicle right or left on a roadway in order to change lanes unless the person gives an appropriate signal in a certain manner, subject to a certain exception; making certain stylistic changes; and generally relating to rules of the road for driving on laned roadways and changing lanes.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–309(b) and 21–604

Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–605

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 851 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – Towne Centre at Laurel – Class A License
PG 316–15**

FOR the purpose of increasing the maximum number of certain Class A alcoholic beverages licenses in Prince George’s County; authorizing the Board of License Commissioners to convert a certain Class B–DD alcoholic beverages license to be a certain Class A alcoholic beverages license to be issued to an establishment located within the Towne Centre at Laurel; prohibiting the Board of License Commissioners from issuing more than a certain number of Class B–DD (Development District) licenses under certain circumstances; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 9–217(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9–217(b)(11) and (f)(7)(iv)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 9–217(o)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 860 – Delegates Stein, Anderson, Barkley, Carr, Frush, Lafferty, Luedtke, B. Robinson, S. Robinson, ~~and Waldstreicher~~ Waldstreicher, McIntosh, and Lam

AN ACT concerning

**Aquatic Invasive Species – ~~Inspection and~~ Decontamination of Vessels
(State Lakes Invasive Species Act of 2015)**

FOR the purpose of ~~authorizing the Department of Natural Resources to take certain actions for the inspection and decontamination of vessels; requiring the Department to adopt certain regulations;~~ prohibiting a person from placing a vessel or having a vessel placed in a lake unless the person has taken certain actions; making a person who violates this Act guilty of a misdemeanor and subject to certain penalties; requiring the Department of Natural Resources to convene a certain workgroup to evaluate actions that reduce the spread of aquatic invasive species from vessels placed in lakes that are owned or managed by the State; requiring the workgroup to make certain recommendations and to submit a certain report to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to the ~~inspection and~~ decontamination of vessels.

BY adding to

Article – Natural Resources

Section 8–703.3

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 887 – Delegates K. Young, Hill, Jalisi, Kelly, Morhaim, Oaks, Pena–Melnyk, ~~and Reznik~~ Reznik, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Kipke, McDonough, McMillan, Miele, Morgan, Pendergrass, Rose, Saab, Sample–Hughes, and West

AN ACT concerning

**Health Insurance – Abuse–Deterrent Opioid Analgesic Drug Products –
Coverage**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide certain coverage for a certain minimum number of brand name abuse–deterrent opioid analgesic drug products and, if available, a certain minimum number of generic abuse–deterrent opioid analgesic drug products; ~~prohibiting the insurers, nonprofit health service plans, and health maintenance organizations from imposing certain limits or cost sharing~~

~~requirements on coverage for abuse-deterrent opioid analgesic drug products that are less favorable to an insured or an enrollee than the limits or cost-sharing requirements that apply to coverage for any other opioid analgesic drug product; prohibiting the insurers, nonprofit health service plans, and health maintenance organizations from requiring an insured or an enrollee to first use a certain drug product before providing coverage for ~~an~~ a certain abuse-deterrent opioid analgesic drug product; prohibiting the insurers, nonprofit health service plans, and health maintenance organizations from increasing certain cost-sharing requirements or other out-of-pocket expenses to achieve certain compliance; authorizing the insurers, nonprofit health service plans, and health maintenance organizations to undertake utilization review for an abuse-deterrent opioid analgesic drug product under certain circumstances; defining certain terms; providing for the application of this Act; providing for a delayed effective date; and generally relating to health insurance coverage for abuse-deterrent opioid analgesic drug products.~~

BY adding to

Article – Insurance

Section 15–848

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 896 – ~~Delegate Bromwell~~ Delegates Bromwell, Hammen, Hayes, McMillan, Oaks, Pena-Melnyk, Miele, Saab, Kelly, McDonough, Morgan, Morhaim, Angel, Kipke, Cullison, Sample-Hughes, Barron, Reznik, West, Rose, Hill, and K. Young

AN ACT concerning

Maryland Opioid Use Disorder Consortium
Joint Committee on Behavioral Health and Opioid Use Disorders

FOR the purpose of establishing the ~~Maryland Opioid Use Disorder Consortium~~ Joint Committee on Behavioral Health and Opioid Use Disorders; providing for the ~~composition, cochairs, and staffing of the Consortium~~ membership and cochairs of the Committee; ~~prohibiting a member of the Consortium from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Consortium to develop, monitor implementation of, and revise a certain plan through a certain process; requiring the Consortium to convene a certain Policy Academy to identify certain focus areas and draft certain recommendations; requiring the Consortium to hold certain roundtables; requiring the Consortium to convene a final Policy Academy for a certain purpose; requiring the Consortium to submit certain reports to the Governor and the General Assembly on or before certain dates~~ specifying the duties and purposes of the Committee; providing for the termination of this Act; and generally relating to the ~~Maryland Opioid Use Disorder Consortium~~ Joint Committee on Behavioral Health and Opioid Use Disorders.

~~BY adding to~~

~~Article – Health – General~~

~~Section 24-1701 to be under the new subtitle “Subtitle 17. Maryland Opioid Use Disorder Consortium”~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2014 Supplement)~~

BY adding to

Article – State Government

Section 2-10A-02

Annotated Code of Maryland

(2014 Replacement Volume)

Read the first time and referred to the Committee on Finance.

House Bill 926 – Delegates Sydnor, Brooks, Carter, Hayes, Haynes, ~~Hettleman, Jalisi, McCray, Morales, B. Robinson, A. Washington, M. Washington, and P. Young~~ Baltimore County Delegation

AN ACT concerning

Baltimore City and Baltimore County – Police ~~Mental~~ Behavioral Health Units – Pilot Program

FOR the purpose of requiring, to the extent practicable, on or before a certain date, the Baltimore City and Baltimore County police departments to establish ~~mental~~ behavioral health units; requiring a ~~mental~~ behavioral health unit to consist of at least a certain number of officers who are specially trained to understand the needs of ~~mentally ill~~ individuals with mental health, substance use, or co-occurring mental health and substance use disorders and in cultural sensitivity and cultural competency; requiring the training to be developed in consultation with the Behavioral Health Administration in the Department of Health and Mental Hygiene; establishing the purpose and goals of a ~~mental~~ behavioral health unit; requiring the Baltimore City and Baltimore County police departments to report to the General Assembly on or before a certain date; providing for the construction of this Act; requiring the Baltimore City Police Department to complete a certain study and make certain recommendations; providing for the termination of this Act; and generally relating to police ~~mental~~ behavioral health units.

BY adding to

Article – Public Safety

Section 3-510

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 931 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – Prince George’s County – Seven Day Sales
PG 318–15**

FOR the purpose of establishing a special Sunday off-sale permit in Prince George’s County; authorizing the Board of License Commissioners, except under certain circumstances, to issue the permit to certain license holders; providing that no more than a certain number of permits may be active at any one time; prohibiting the Board of License Commissioners from issuing a permit to certain holders of a license; prohibiting the Board of License Commissioners from issuing a permit to certain holders of a license before a certain date; requiring an applicant for a permit to commit to making a certain reinvestment in the business; authorizing the Board of License Commissioners to waive the reinvestment requirement; requiring the Board of License Commissioners to revoke a permit under certain circumstances; authorizing the permit holder to sell certain alcoholic beverages during a certain time on Sunday for consumption off the licensed premises; providing that the holder of a certain license that is issued a permit is no longer required to comply with any restaurant or food requirements; establishing a certain application fee; establishing a certain fee for the permit; authorizing the Board of License Commissioners to adopt certain regulations; providing for the application of a certain provision of this Act; making conforming changes; making stylistic changes; and generally relating to alcoholic beverages in Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–517(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–517(b) and (f)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 11–517(l)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 978 – Delegates Lam, Hill, Jalisi, ~~and Morhaim~~ Morhaim, McMillan, Oaks, Pena–Melnyk, Miele, Kelly, McDonough, Bromwell, Morgan, Angel, Hammen, Kipke, Cullison, Sample–Hughes, Barron, Reznik, West, Rose, and K. Young

AN ACT concerning

HIV Testing – Informed Consent and Pretest Requirements – Modification

FOR the purpose of altering certain requirements health care providers must meet before obtaining certain samples for the purpose of HIV testing; requiring consent for HIV testing to be included in a certain general informed consent for medical care in a certain category of tests; providing, subject to a certain exception, that a health care provider may not be required to obtain certain consent using a separate consent form; requiring a health care provider to make available certain materials ~~and certain language assistance~~ to certain individuals; prohibiting a certain refusal to undergo a certain HIV test from being used as the sole basis by an institution or a laboratory to deny services or treatment; requiring a certain health care provider who obtains certain results from an HIV test to take certain actions; making certain stylistic changes; and generally relating to HIV testing procedures and requirements for health care providers.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–336
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 981 – Cecil County Delegation

AN ACT concerning

Cecil County – Orphans’ Court – Sessions

FOR the purpose of altering the frequency of the sessions of the Orphans’ Court in Cecil County; and generally relating to the sessions of the Orphans’ Court in Cecil County.

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 2–106(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY adding to

Article – Estates and Trusts
Section 2–106(j)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1002 – Delegates Jacobs, Adams, Anderton, Arentz, Carozza, Ghrist, Mautz, and Otto

AN ACT concerning

Natural Resources – County Oyster Committees ~~– Authority~~

FOR the purpose of ~~authorizing a county oyster committee to use certain funds to purchase oyster shells, seed oysters, or spat on shell for use on the public oyster fishery~~ requiring the Department of Natural Resources to form a certain workgroup with representatives of county oyster committees to examine certain issues and submit a certain report on or before a certain date; and generally relating to the authority of county oyster committees.

~~BY repealing and reenacting, with amendments,~~

~~Article – Natural Resources
Section 4–1106(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1007 – Delegates McMillan, Davis, and Holmes

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Disclosures to Purchasers on Resale of Unit or Lot – Limitation on Fees

FOR the purpose of limiting the amount of the fee that a condominium council of unit owners may charge a unit owner to furnish a certain certificate; ~~requiring a homeowners association or certain other persons to provide certain information within a certain number of days after a certain request by a lot owner and receipt of a certain fee;~~ providing that a council of unit owners is entitled to charge certain fees for an inspection of a unit and for ensuring the completion of a certain inspection and preparation and delivery of a certain certificate within a certain period of time; providing that a homeowners association is entitled to a certain fee for providing certain information; providing that a homeowners association is entitled to a certain

fee for providing certain information within a certain period of time; limiting the liability of a council of unit owners or a homeowners association for certain errors and omissions; and generally relating to the resale of a condominium unit or a lot located in a certain development.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–135(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–135(c) and 11B–106
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1048 – Delegates Gilchrist, Frush, Holmes, and Platt

AN ACT concerning

Vehicle Laws – Drivers’ Education – Licensing

FOR the purpose of ~~requiring that certain fines, revocations, suspensions, or refusals to grant or renew a license for drivers’ schools and driving instructors take effect a certain time period after the Motor Vehicle Administration provides notice of the sanction to the applicant or licensee; authorizing the applicant or licensee to remedy the underlying violation that led to the Administration imposing the sanction within a certain time period; requiring the Administration to void the sanction if the applicant or licensee remedies the underlying violation within a certain time period; authorizing certain applicants or licensees to provide any documents required by the Administration electronically; requiring the Administration to adopt by regulation any requirement with which certain applicants or licensees are required to comply; establishing that the Administration, with respect to inspection of drivers’ school classroom facilities, may only require certain fire inspections; establishing that a holder of a driving instructor license may conduct certain tests and evaluations for both the classroom and behind the wheel instruction for apprentice instructor permit applicants~~ requiring the Motor Vehicle Administration to provide written notice to a drivers’ school or driving instructor license holder or applicant before imposing certain administrative penalties; authorizing the Administration to allow a license holder or an applicant to remedy the violation before imposing certain administrative penalties; authorizing a licensee to provide required documents electronically in certain circumstances in a format determined by the Administration; authorizing the Administration to allow certain persons to conduct certain driving tests and evaluations; authorizing the Administration to adopt

certain regulations; and generally relating to licensing for drivers' schools and driving instructors.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–710 and 15–807
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Transportation
Section 15–711 and 15–808
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1080 – Delegates Pena–Melnyk, Angel, B. Barnes, D. Barnes, Barron, Campos, Ebersole, Fraser–Hidalgo, Frush, Gaines, Gutierrez, Hayes, Haynes, Hettleman, Hixson, C. Howard, Jalisi, Kaiser, Lam, Luedtke, McCray, Miele, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, B. Robinson, S. Robinson, Sample–Hughes, Shoemaker, Simonaire, Smith, Valentino–Smith, Vaughn, M. Washington, ~~and C. Wilson~~ C. Wilson, Carey, Hammen, Bromwell, Cullison, Hill, Kelly, Kipke, McDonough, McMillan, Morgan, Pendergrass, Reznik, Rose, Saab, West, and K. Young

AN ACT concerning

**9–1–1 Emergency Telephone System – Multiple–Line Telephone Systems – Direct Dial
(Kari's Law)**

FOR the purpose of requiring that, on or before a certain date, a person that installs or operates a multiple–line telephone system ensures that the system is connected to the public switched telephone network in such a way that an individual dialing 9–1–1 is connected to the public safety answering point without requiring the individual to dial any other number or set of numbers; providing a certain exception for a unit of the Executive Branch of State government; defining a certain term; and generally relating to access to the 9–1–1 emergency telephone system and multiple–line telephone systems.

BY adding to
Article – Public Safety
Section 1–314
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1104 – Chair, Health and Government Operations Committee (By Request – Departmental – Public Television)

AN ACT concerning

Procurement Exemptions – Maryland Public Broadcasting Commission – Repacking Requirements

FOR the purpose of exempting from certain provisions of the State procurement law procurement by the Maryland Public Broadcasting Commission for procurement contracts needed to implement the repacking requirements of the federal Spectrum Act; providing for the termination of this Act; and generally relating to the application of State procurement laws to the Maryland Public Broadcasting Commission.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(a)(1)(vi)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1129 – Delegates O’Donnell and Dumais

AN ACT concerning

Real Property – Actions to Quiet Title

FOR the purpose of authorizing a certain action to be brought to establish title against adverse claims to property; establishing that certain remedies are cumulative and not exclusive of certain other remedies, form or right of action, or proceedings; authorizing a court in certain actions or proceedings to require that certain issues be resolved in accordance with certain provisions of law; providing for jurisdiction, venue, and the application of certain statutes and rules in an action under this Act; establishing that an action under this Act is commenced by filing a complaint; providing for the manner of establishing notice of the pendency of a certain action; requiring a certain notice to be sent to certain holders of security interests; requiring the filing of a certain affidavit acknowledging that the plaintiff sent certain notices; providing for the effect of the failure of a holder of a security interest to receive a certain notice; establishing requirements for a complaint, an answer to a complaint, a cross-complaint, naming of defendants, joinder of parties, and service of process in an action under this Act; requiring the court to take certain actions in an action under this Act; providing for the recording of a certain judgment; providing for the

admissibility and effect of certain evidence; providing that certain provisions of this Act do not deprive a party of a right to a jury trial; providing for the effect of a judgment in an action under this Act; defining certain terms; and generally relating to actions to quiet title.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–108
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

BY adding to
Article – Real Property
Section 14–601 through 14–628, to be under the new subtitle “Subtitle 6. Actions to Quiet Title”
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1158 – Delegate Stein

AN ACT concerning

Lead Risk Reduction Standards – Maintenance of Exemptions

FOR the purpose of altering the time period when an owner of certain residential rental property is required to submit a certain certification to the Department of the Environment in order to maintain a certain exemption from certain lead-based paint risk reduction standards; requiring an owner of certain residential rental property to submit a certain certification to the Department within a certain time period after receiving a written notice of chipping, peeling, or flaking paint on the exterior of the property in order to maintain a certain exemption; requiring an owner of a certain residential rental property to submit a certain affidavit on or before a certain date and annually thereafter in order to maintain a certain exemption; ~~providing that a failure to possess or maintain certain records does not invalidate a certain exemption~~ requiring an owner of a certain residential rental property to maintain a copy of each affidavit for a certain time period, and, on request, to submit a copy of an affidavit to the Department; requiring a certain written notice of chipping, peeling, or flaking paint be sent in a certain manner; providing that a certain exemption for a multifamily rental dwelling expires on a certain date unless a certain inspection for the presence of lead-based paint was conducted in accordance with certain ~~standards established by the U.S. Department of Housing and Urban Development~~ regulations adopted by the Department; and generally relating to exempting lead-free residential rental property from certain lead-based paint risk reduction standards.

BY repealing and reenacting, with amendments,

Article – Environment
Section 6–804
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1224 – Chair, Health and Government Operations Committee (By Request – Departmental – Transportation)

AN ACT concerning

Procurement – Contracts for Pretreatment and Removal of Snow and Ice

FOR the purpose of authorizing the State Highway Administration to enter into procurement contracts for snow and ice removal operations as required or permitted by certain provisions of law; requiring the State Highway Administration to report to the Board of Public Works on the operation and effectiveness of the procurement contracts; authorizing the Board of Public Works, in consultation with the State Highway Administration, to adopt regulations to carry out the requirements of this Act; and generally relating to procurement contracts for snow and ice removal.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–108
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1229 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Commercial Motor Vehicles – Denial, Cancellation, Suspension, or Revocation of Registration

FOR the purpose of authorizing the Motor Vehicle Administration to deny, cancel, suspend, or revoke the commercial motor vehicle registration of a vehicle if the motor carrier responsible for the safety of the vehicle is subject to certain federal sanctions or certain federal determinations; requiring that a denial, cancellation, suspension, or revocation under this Act continue until certain actions are taken; and generally relating to the denial, cancellation, suspension, or revocation of commercial motor vehicle registrations.

BY adding to

Article – Transportation
Section 13–710
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 16–812(i)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1241 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Transportation Authority – Payment of Tolls and Related Fees

FOR the purpose of altering the procedures of the Maryland Transportation Authority for the collection of unpaid tolls through a certain notice of toll due administrative action and a citation for toll violations; altering procedures for assessing a certain civil penalty; altering the contents of a certain citation; authorizing the Authority to waive portions of unpaid tolls and civil penalties under certain circumstances; and generally relating to the issuance of a citation for nonpayment of tolls and fees on Maryland Transportation Authority facilities.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 21–1414
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 695 – Senator Raskin

AN ACT concerning

General Provisions – Public Information Act – Enforcement, Fees, and Exemptions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0695/504237/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 695

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “programs;” in line 5; in line 6, after “Board” insert “and Office of the Public Access Ombudsman”; in the same line, after “Governor” insert “and the Attorney General”; in line 7, strike “the Governor’s Office Web site” and substitute “their Web sites”; in the same line, after “to” insert “certain”; strike beginning with “for” in line 7 down through “Board” in line 8; in line 8, after “applicants;” insert “requiring the Governor to solicit certain recommendations from certain individuals;”; in line 9, after “Governor” insert “and the Attorney General”; strike beginning with the second “the” in line 9 down through “site;” in line 10 and substitute “their Web sites;”; in line 10, after “Senate,” insert “and the Attorney General”; in line 11, strike “appoint the members of the Board” and substitute “make certain appointments”; in line 14, after “staff” insert “and office space”; in line 15, after the first “Board” insert “and the Ombudsman”; in the same line, after “Board;” insert “requiring the Board to report on certain matters to the Governor and the General Assembly on or before a certain date;”; strike beginning with “requiring” in line 20 down through “record;” in line 21; in line 22, after “conference;” insert “requiring the Board to hold a certain conference in a certain location under certain circumstances; authorizing the Board to allow certain testimony by teleconference or electronic mail;”; strike beginning with “requiring” in line 23 down through “circumstances;” in line 24; in line 27, after “review;” insert “authorizing a complainant or custodian to appeal a decision of the Board in accordance with certain provisions of law; requiring that a decision of the Board is stayed for a certain period of time under certain circumstances; providing for the staffing of the Office of the Public Access Ombudsman; providing for the qualifications, term, and salary of the Ombudsman; requiring the Ombudsman to be a full-time State employee; establishing the powers and the duties of the Ombudsman;”; and strike beginning with “requiring” in line 29 down through “custodian;” in line 30 and substitute “requiring a certain custodian to provide certain written information under certain circumstances;”.

On page 2, in line 6, strike “denying or”; strike beginning with “authorizing” in line 8 down through “circumstances;” in line 14; in line 15, strike “Board” and substitute “Ombudsman”; in the same line, after “records” insert “or the application of a certain exemption”; in line 16, strike “certain defendants are” and substitute “a certain defendant is”; in line 17, strike “repealing” and substitute “altering”; in line 19, after “Board;” insert “requiring the Attorney General, in consultation with certain persons, to report on certain matters to the Governor and the General Assembly on or before a certain date;”; strike in their entirety lines 22 through 26, inclusive; in line 29, strike “4–201;” in the same line, strike “4–343;” and substitute “and 4–301;”; in line 36, after “Board” insert “and Section 4–1B–01 through 4–1B–04 to be under the new subtitle “Subtitle 1B. Public Access Ombudsman””; and strike beginning with “providing” in line 19 down through “Act;” in line 20.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 3 on page 3 through line 4 on page 5, inclusive.

AMENDMENT NO. 3

On page 7, in line 19, strike “THREE” and substitute “FIVE”; in line 23, after “REPRESENTATIVE” insert “:

(I);

in line 24, strike the period and substitute “;

(II) WHO WORKS ON ISSUES RELATED TO TRANSPARENCY OR OPEN GOVERNMENT; AND

(III) WHO IS NOMINATED BY REPRESENTATIVES OF THE OPEN GOVERNMENT AND NEWS MEDIA COMMUNITIES.”;

and after line 24, insert:

“(4) ONE MEMBER OF THE BOARD WHO:

(I) HAS KNOWLEDGE OF THE PROVISIONS OF THIS TITLE;

(II) HAS SERVED AS AN OFFICIAL CUSTODIAN IN THE STATE AS DEFINED IN § 4-101(D) OF THIS TITLE; AND

(III) IS NOMINATED BY THE MARYLAND ASSOCIATION OF COUNTIES AND THE MARYLAND MUNICIPAL LEAGUE.”.

On page 8, in line 1, strike “(4)” and substitute “(5)”; in lines 1 and 2, strike “GOVERNOR’S OFFICE”; in line 2, after “SITE” insert “OF THE OFFICE OF THE GOVERNOR”; after line 9, insert:

“(III) THE GOVERNOR SHALL SOLICIT RECOMMENDATIONS FOR POSITIONS ON THE BOARD FROM REPRESENTATIVES OF THE CUSTODIAN, NEWS MEDIA, AND NONPROFIT COMMUNITIES.”;

in lines 10 and 16, strike “(III)” and “(IV)”, respectively, and substitute “(IV)” and “(V)”, respectively; in line 14, strike “GOVERNOR’S OFFICE”; in the same line, after “SITE” insert “OF THE OFFICE OF THE GOVERNOR”; in line 16, after “SHALL” insert “:

(1)”;

in line 17, after “BOARD” insert “; AND

(2) ENSURE THE NEUTRALITY OF THE BOARD”;

in line 18, strike “(5)” and substitute “(6)”; and in line 21, strike “(4)” and substitute “(5)”.

AMENDMENT NO. 4

On page 9, in line 13, after “STAFF” insert “AND OFFICE SPACE”; in line 18, after “COMPLAINTS” insert “FILED UNDER § 4-1A-05 OF THIS SUBTITLE”; in the same line, strike “PERSON” and substitute “APPLICANT OR THE APPLICANT’S DESIGNATED REPRESENTATIVE”; in the same line, after “A” insert “CUSTODIAN CHARGED AN UNREASONABLE FEE UNDER § 4-206 OF THIS TITLE;”; and strike in their entirety lines 19 through 25, inclusive.

On page 10, strike beginning with “ORDER” in line 1 down through “(II)” in line 5; in line 6, after “TITLE,” insert “ORDER THE CUSTODIAN TO”; in the same line, strike “OF MORE THAN \$250”; in line 8, strike “DIFFERENCE; OR” and substitute “DIFFERENCE.”;

strike in their entirety lines 9 and 10; strike in its entirety line 12; in line 13, strike “(2)” and substitute “(1)”; in line 15, strike “(3)” and substitute “(2)”; and strike beginning with “AND” in line 24 down through “DENIED” in line 25.

On page 11, in line 1, strike “PERSON” and substitute “APPLICANT OR THE APPLICANT’S DESIGNATED REPRESENTATIVE”; in line 2, after “BOARD” insert “IF:”

(1) A CUSTODIAN CHARGED A FEE UNDER § 4-206 OF THIS TITLE OF MORE THAN \$350; AND

(2) THE COMPLAINANT ALLEGES IN THE COMPLAINT THAT THE FEE IS UNREASONABLE.”;

and strike beginning with “ALLEGING” in line 2 down through “TITLE.” in line 9.

On page 12, in line 2, after “COMPLAINT” insert “THE BASIS FOR THE FEE THAT WAS CHARGED.”; and strike beginning with the colon in line 2 down through “SUBSECTION.” in line 16.

On pages 13 and 14, strike in their entirety the lines beginning with line 17 on page 13 through line 5 on page 14, inclusive.

AMENDMENT NO. 5

On page 12, in line 27, after “(1)” insert “(I)”; in the same line, strike “IF” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF”; and after line 30, insert:

“(II) THE BOARD SHALL HOLD THE INFORMAL CONFERENCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN A LOCATION THAT IS AS CONVENIENT AS PRACTICABLE TO THE COMPLAINANT AND THE CUSTODIAN.

(2) WHEN CONDUCTING A CONFERENCE THAT IS SCHEDULED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD MAY ALLOW THE PARTIES TO TESTIFY BY TELECONFERENCE OR SUBMIT WRITTEN TESTIMONY BY ELECTRONIC MAIL.”.

On page 13, in lines 1 and 4, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

AMENDMENT NO. 6

On page 14, in line 10, strike “ATTORNEY GENERAL’S”; in line 11, after “SITE” insert “OF THE OFFICE OF THE ATTORNEY GENERAL”; in line 19, before “A” insert “(A)”; and after line 20, insert:

“(B) (1) A COMPLAINANT OR CUSTODIAN MAY APPEAL THE DECISION ISSUED BY THE BOARD UNDER THIS SUBTITLE IN ACCORDANCE WITH § 10-222 OF THE STATE GOVERNMENT ARTICLE.

“(2) AN APPEAL UNDER THIS SUBSECTION AUTOMATICALLY STAYS THE DECISION OF THE BOARD PENDING THE CIRCUIT COURT’S DECISION OR NO MORE THAN 30 DAYS AFTER THE DATE ON WHICH THE DEFENDANT SERVES AN ANSWER OR OTHERWISE PLEADS TO THE COMPLAINT, WHICHEVER IS SOONER.”.

AMENDMENT NO. 7

On page 14, before line 21, insert:

“SUBTITLE 1B. PUBLIC ACCESS OMBUDSMAN.

4-1B-01.

IN THIS SUBTITLE, “OMBUDSMAN” MEANS THE PUBLIC ACCESS OMBUDSMAN.

4-1B-02.

(A) THERE IS AN OFFICE OF THE PUBLIC ACCESS OMBUDSMAN.

(B) THE OFFICE OF THE ATTORNEY GENERAL SHALL PROVIDE OFFICE SPACE AND STAFF FOR THE OMBUDSMAN, WITH APPROPRIATE STEPS TAKEN TO PROTECT THE AUTONOMY AND INDEPENDENCE OF THE OMBUDSMAN.

4-1B-03.

(A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, THE ATTORNEY GENERAL SHALL APPOINT THE OMBUDSMAN.

(B) THE OMBUDSMAN SHALL HAVE BEEN ADMITTED TO PRACTICE LAW IN THE STATE.

(C) (1) THE OFFICE OF THE ATTORNEY GENERAL SHALL PUBLISH, ON ITS WEB SITE, NOTICE OF THE ATTORNEY GENERAL'S INTENT TO CONSIDER APPLICANTS FOR THE OMBUDSMAN POSITION.

(2) THE NOTICE SHALL INCLUDE:

(I) APPLICATION PROCEDURES;

(II) CRITERIA FOR EVALUATING AN APPLICANT'S QUALIFICATIONS; AND

(III) PROCEDURES FOR RESOLVING ANY CONFLICTS OF INTEREST.

(3) (I) AN INDIVIDUAL MAY SUBMIT TO THE ATTORNEY GENERAL AN APPLICATION FOR THE OMBUDSMAN POSITION AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(II) THE OFFICE OF THE ATTORNEY GENERAL SHALL POST ON ITS WEB SITE THE NAMES AND QUALIFICATIONS OF APPLICANTS AND MAY BROADCAST INTERVIEWS OF APPLICANTS ON ITS WEB SITE.

(D) (1) THE TERM OF THE OMBUDSMAN IS 4 YEARS.

(2) AT THE END OF A TERM, THE OMBUDSMAN CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(3) AN OMBUDSMAN WHO IS APPOINTED AFTER A TERM BEGINS SERVES FOR THE REMAINDER OF THE TERM UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(E) THE OMBUDSMAN SHALL BE A FULL-TIME STATE EMPLOYEE.

(F) THE OMBUDSMAN IS ENTITLED TO AN ANNUAL SALARY AS PROVIDED FOR IN THE STATE BUDGET.

4-1B-04.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE OMBUDSMAN SHALL MAKE REASONABLE ATTEMPTS TO RESOLVE DISPUTES BETWEEN APPLICANTS AND CUSTODIANS RELATING TO REQUESTS FOR PUBLIC RECORDS UNDER THIS TITLE, INCLUDING DISPUTES OVER:

(1) THE CUSTODIAN’S APPLICATION OF AN EXEMPTION;

(2) REDACTIONS OF INFORMATION IN THE PUBLIC RECORD;

(3) THE FAILURE OF THE CUSTODIAN TO PRODUCE A PUBLIC RECORD IN A TIMELY MANNER OR TO DISCLOSE ALL RECORDS RELEVANT TO THE REQUEST;

(4) OVERLY BROAD REQUESTS FOR PUBLIC RECORDS;

(5) THE AMOUNT OF TIME A CUSTODIAN NEEDS, GIVEN AVAILABLE STAFF AND RESOURCES, TO PRODUCE PUBLIC RECORDS;

(6) A REQUEST FOR OR DENIAL OF A FEE WAIVER UNDER § 4-206(E) OF THIS TITLE; AND

(7) REPETITIVE OR REDUNDANT REQUESTS FROM AN APPLICANT.

(B) WHEN RESOLVING DISPUTES UNDER THIS SECTION, THE OMBUDSMAN MAY NOT COMPEL A CUSTODIAN TO DISCLOSE PUBLIC RECORDS IN THE CUSTODIAN’S PHYSICAL CUSTODY.”.

On pages 14 and 15, strike in their entirety the lines beginning with line 21 on page 14 through line 8 on page 15, inclusive.

On page 15, in lines 16 and 17, in each instance, after “**10**” insert “WORKING”; in line 17, after “WRITING” insert “OR BY ELECTRONIC MAIL”; in line 20, strike “THE DOCUMENTS THAT ARE BEING RETRIEVED;” and substitute “AN ESTIMATE OF THE RANGE OF FEES THAT MAY BE CHARGED TO COMPLY WITH THE REQUEST FOR PUBLIC RECORDS;”; and strike beginning with the first bracket in line 26 down through “**(II)**” in line 28 and substitute “**(I)**”.

On page 16, strike in their entirety lines 1 and 2; in lines 3, 6, and 9, strike “**2.**”, “**3.**”, and “**(III)**”, respectively, and substitute “**1.**”, “**2.**”, and “**(II)**”, respectively; in line 3, strike “AN” and substitute “IF INSPECTION IS DENIED UNDER § 4-343 OF THIS TITLE A BRIEF”; strike beginning with “STATE’S” in line 4 down through “INTEREST” in line 5 and substitute “OFFICIAL CUSTODIAN’S INTEREST IN DENYING DISCLOSURE OF THE RECORD”; in line 5, strike “DISCLOSURE” and substitute “ACCESS TO THE INFORMATION IN THE RECORD”; in line 6, strike “and”; after line 6, insert:

3. WITHOUT DISCLOSING THE PROTECTED INFORMATION, A BRIEF DESCRIPTION OF THE UNDISCLOSED RECORD THAT WILL ENABLE THE APPLICANT TO ASSESS THE APPLICABILITY OF THE LEGAL AUTHORITY FOR THE DENIAL; AND;

in line 11, strike “DENY OR”; in line 14, strike “With the consent of the applicant, any” and substitute “ANY”; in the same line, after “section” insert “:

(1) WITH THE CONSENT OF THE APPLICANT;;

and in line 15, after “days” insert “;AND

(2) IF THE APPLICANT SEEKS RESOLUTION OF A DISPUTE UNDER § 4-1B-04 OF THIS TITLE, SHALL BE EXTENDED PENDING RESOLUTION OF THAT DISPUTE”.

AMENDMENT NO. 9

On pages 16 and 17, strike in their entirety the lines beginning with line 19 on page 16 through line 2 on page 17, inclusive.

On page 17, in line 3, strike “(3)” and substitute “(2)”; in line 6, strike “(4)” and substitute “(3)”; strike beginning with the colon in line 11 down through “IS” in line 14; in line 16, strike “REPRODUCING” and substitute “THE SEARCH FOR, PREPARATION OF, AND REPRODUCTION OF”; in line 17, strike “REQUESTED FOR A NONCOMMERCIAL PURPOSE”; after line 18, insert:

“(2) THE STAFF AND ATTORNEY REVIEW COSTS INCLUDED IN THE CALCULATION OF ACTUAL COSTS INCURRED UNDER THIS SECTION SHALL BE PRORATED FOR EACH INDIVIDUAL’S SALARY AND ACTUAL TIME ATTRIBUTABLE TO THE SEARCH FOR AND PREPARATION OF A PUBLIC RECORD UNDER THIS SECTION.”;

strike in their entirety lines 19 through 27, inclusive; in line 28, strike “(1)”; in the same line, strike the brackets; in the same line, strike “5”; and strike in their entirety lines 30 through 32, inclusive.

On page 18, after line 9, insert:

“(2) (1) THE APPLICANT IS INDIGENT AND FILES AN AFFIDAVIT OF INDIGENCY; OR”;

in line 10, strike “(2)” and substitute “(II)”; and in line 12, strike “OR THAT THE APPLICANT IS INDIGENT”.

AMENDMENT NO. 10

On page 18, strike in their entirety lines 13 through 27, inclusive, and substitute:

“4-301.

(A) [A] SUBJECT TO SUBSECTION (B) OF THIS SECTION, A custodian shall deny inspection of a public record or any part of a public record if:

- (1) by law, the public record is privileged or confidential; or
- (2) the inspection would be contrary to:
 - (i) a State statute;

(ii) a federal statute or a regulation that is issued under the statute and has the force of law;

(iii) the rules adopted by the Court of Appeals; or

(iv) an order of a court of record.

(B) IF AN APPLICANT FILES A COMPLAINT WITH THE OMBUDSMAN CHALLENGING A DENIAL OR THE APPLICATION OF AN EXEMPTION UNDER THIS SUBTITLE, THE CUSTODIAN SHALL PROVE THAT:

(1) THE DENIAL OR THE EXEMPTION IS CLEARLY APPLICABLE TO THE REQUESTED PUBLIC RECORD; AND

(2) IF INSPECTION IS DENIED UNDER PART IV OF THIS SUBTITLE, THE HARM FROM DISCLOSURE OF THE PUBLIC RECORD IS GREATER THAN THE PUBLIC INTEREST IN ACCESS TO THE INFORMATION IN THE PUBLIC RECORD.’

AMENDMENT NO. 11

On page 20, in line 15, strike the third bracket; in line 16, strike “], IN THE ABSENCE OF A BONA FIDE DISPUTE,”; in line 21, strike “STATUTORY DAMAGES AND”; in line 25, strike “(I)”; in line 26, strike “PARAGRAPHS” and substitute “PARAGRAPH”; in the same line, strike “OR (2)”; strike beginning with “SHALL” in line 26 down through “SUBSECTION” in line 30; and strike beginning with “PER” in line 30 down through “TITLE” in line 31.

AMENDMENT NO. 12

On page 21, in line 8, strike the brackets; in the same line, strike “SHALL”; in line 10, strike “3.” and substitute “2.”; in lines 13 and 14, in each instance, strike “one member” and substitute “two members”; after line 14, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 31, 2016, the Office of the Attorney General, in consultation with the Maryland Association of Counties, the Maryland Municipal League, and stakeholders from the custodian, news media, and open government communities, shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly, on its findings and recommendations for improving the implementation of the Public Information Act, including:

(1) whether the statutory duties of the State Public Information Act Compliance Board are appropriate, including whether the Board should be authorized to impose statutory damages and whether the functions of the Board and the Public Access Ombudsman should be modified;

(2) the merits and feasibility of merging the State Open Meetings Law Compliance Board with the State Public Information Act Compliance Board;

(3) the use of fee waivers in general and for reasons of indigency, including how often waivers are requested, denied, or granted, to include the amount of the fees that have been waived as a result;

(4) the scope of public records generated in connection with the transaction of public business that are held by a nongovernmental custodian and the appropriate remedies to ensure public access to those records; and

(5) whether the application of State law outside of the Public Information Act to justify the denial of access to public records is appropriate given the purpose of the Public Information Act.”;

in line 15, strike “Section 1 of”; in line 16, strike “2016” and substitute “2015”; and strike in their entirety lines 17 and 18.

The preceding 12 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 793 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

State Personnel – Automatic Step Increases – Standard Pay Plan

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0793/437377/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 793

(First Reading File Bill)

On page 2, strike beginning with “WHO” in line 20 down through “FORMS” in line 22 and substitute “WHOSE OVERALL PERFORMANCE IS RATED SATISFACTORY OR ABOVE ON THE EMPLOYEE’S ANNUAL PERFORMANCE APPRAISAL”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 70 – The Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2016)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (45) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2015 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 70 – THE BUDGET BILL

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 70 – THE BUDGET BILL

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON HOUSE BILL 70 – THE BUDGET BILL AND
HOUSE BILL 72 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit G of Appendix III)

Senator Kasemeyer moved, duly seconded, to make the Bill and Amendments a Special Order for March 25, 2015.

The motion was adopted.

House Bill 72 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2015

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (23) AND THE FAVORABLE REPORT.

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 72 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit H of Appendix III)

HB0072/429137/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 72

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 22 down through “years;” in line 24 and substitute “altering the applicability of a certain provision of law relating to the percentage of a community provider’s total operating expenses that must be spent on certain employee salaries, wages, and fringe benefits; altering the calculation of the percentage of a community provider’s total operating expenses that must be spent on certain employee salaries, wages, and fringe benefits;”.

On pages 1 and 2, strike beginning with “altering” in line 24 on page 1 down through “rates;” in line 1 on page 2 and substitute “expanding the purposes for which the Maryland Energy Administration is required to use a certain fund;”.

On page 2, strike beginning with “altering” in line 3 down through “issue;” in line 5 and substitute “providing an exemption from the personal property tax for an interest of a person in cranes at Maryland Port Administration facilities; authorizing, rather than requiring, the Maryland Aviation Administration Fire Rescue Service to charge a certain ambulance transport fee; making conforming and clarifying changes to provisions of law relating to a certain ambulance transport fee;”; in line 12, after “circumstances;” insert “altering the requirements of a study to be performed by the Maryland Transportation

Authority;”; in line 15, after “employees;” insert “altering a certain required appropriation so as to require an appropriation of a certain amount to certain accumulation funds of the State Retirement and Pension System;”; and in line 26, after “circumstances;” insert “prohibiting certain plans of compensation for State positions of employment to be amended to provide a rate of compensation lower than the rate in effect on a certain date; requiring that the amount of salary lost by a State employee as a result of a certain reduction in the employee’s rate of compensation on or after a certain date be included in the calculation of the employee’s earnable compensation by the State Retirement and Pension System for the purpose of determining retirement benefits; authorizing the Board of Trustees for the State Retirement and Pension System to adopt certain policies and procedures; requiring certain reports;”.

On page 3, strike beginning with “setting” in line 2 down through “facility;” in line 4; in line 31, after “Section” insert “5-202(a)(13)(ii), (iii), and (iv),”; in line 32, after “16-305(c)(1)(i),” insert “16-512(a)(1)(x) and (xi)”; and in line 39, after “Section” insert “5-202(a)(13)(v) and (vi) and”.

On page 4, after line 35, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 7-306.3(b)(1) and (2) and 7-307(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)”;

and strike in its entirety line 38 and substitute “Section 8-709(d)”.

On page 5, in line 15, strike “17-220(d)(2) and 17-222(a)” and substitute “7-311(j)(1)”; after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 9-20B-05(f)

Annotated Code of Maryland

(2014 Replacement Volume)”;

in line 26, strike “10-730(f)(1),”; in line 36, after “Section” insert “7-211(d) and”; in the same line, strike “, (g),”; and after line 38, insert:

“BY repealing

Article – Tax – Property

Section 13–209(g)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 5–415

Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)”.

On page 6, after line 14, insert:

“BY repealing and reenacting, with amendments,

Chapter 397 of the Acts of the General Assembly of 2014

Section 1(b)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 7–311(j)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 12, after line 22, insert:

“(a) (13) “Target per pupil foundation amount” means:

(ii) Except as provided in items (iii) [and], (iv), (V), AND (VI) of this paragraph, in subsequent fiscal years:

1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 5%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year;

(iii) In fiscal year 2012, \$6,694; [and]

(iv) In each of fiscal years 2013 through 2015:

1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 1%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year;

(V) IN FISCAL YEAR 2016, \$6,954; AND

(VI) IN EACH OF FISCAL YEARS 2017 THROUGH 2020:

1. THE TARGET PER PUPIL FOUNDATION AMOUNT FOR THE PRIOR FISCAL YEAR INCREASED BY THE SAME PERCENTAGE AS THE LESSER OF:

A. THE INCREASE IN THE IMPLICIT PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT EXPENDITURES FOR THE SECOND PRIOR FISCAL YEAR;

B. THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON–BALTIMORE METROPOLITAN AREA, OR ANY SUCCESSOR INDEX, FOR THE SECOND PRIOR FISCAL YEAR; OR

C. 1.5%; OR

2. IF THERE IS NO INCREASE IN THE IMPLICIT PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT EXPENDITURES FOR THE SECOND PRIOR FISCAL YEAR OR IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON–BALTIMORE METROPOLITAN AREA, OR ANY SUCCESSOR INDEX, FOR THE SECOND PRIOR FISCAL YEAR, THE TARGET PER PUPIL FOUNDATION AMOUNT SHALL BE THE AMOUNT FOR THE PRIOR FISCAL YEAR.”

AMENDMENT NO. 3

On page 14, in line 17, strike “21.0%” and substitute “**20.75%**”; in line 22, strike “22.0%” and substitute “**21%**”; and in line 27, strike “23%” and substitute “**21%**”.

AMENDMENT NO. 4

On page 17, after line 10, insert:

“16–512.

(a) (1) The total State operating fund per full–time equivalent student appropriated to Baltimore City Community College for each fiscal year other than fiscal year 2013, as requested by the Governor shall be:

(x) In fiscal year 2019, not less than an amount equal to [61%] **60%** of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for

the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xi) In fiscal year 2020, not less than an amount equal to [62.5%] 60% of the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;”.

AMENDMENT NO. 5

On page 18, in line 4, strike “10.1%” and substitute “9.6%”; in line 7, strike “10.5%” and substitute “9.6%”; in line 10, strike “10.8%” and substitute “9.6%”; and in line 13, strike “11.1%” and substitute “9.6%”.

AMENDMENT NO. 6

On page 25, after line 2, insert:

“Article – Health – General

7-306.3.

(b) (1) **(I) [This] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS subsection applies in fiscal [2015] YEAR 2016 and each fiscal year thereafter before the earlier of:**

[(i)] 1. The implementation of the payment system required under § 7-306.2 of this subtitle; or

[(ii)] 2. The end of fiscal year 2019.

(II) THIS SUBSECTION DOES NOT APPLY IN ANY FISCAL YEAR IN WHICH THE RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS IS LESS THAN 3.0% OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES PROGRAM M00M01.02 COMMUNITY SERVICES IN THE PRIOR FISCAL YEAR.

(2) The percentage of a community provider’s total reported operating expenses, excluding interest on capital and other capital expenses, that is spent on direct

support employee salaries, wages, and fringe benefits for a fiscal year, as reported to the Department by the provider in its fiscal year cost report data form, may not be less than the percentage of the community provider's total reported operating expenses spent on direct support employee salaries, wages, and fringe benefits for [fiscal year 2014] **THE LAST FISCAL YEAR IN WHICH THE RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS IS LESS THAN 3.0% OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES IN THE PRIOR FISCAL YEAR.**"

AMENDMENT NO. 7

On page 25, before line 3, insert:

"7-307.

(d) (1) The Governor's proposed budget for fiscal year 2016 shall include a [3.5%] **3.0%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2015.

(2) The Governor's proposed budget for fiscal year 2017 shall include a [3.5%] **3.0%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2016.

(3) The Governor's proposed budget for fiscal year 2018 shall include a [3.5%] **3.0%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2017.

(4) The Governor's proposed budget for fiscal year 2019 shall include a [3.5%] **3.0%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2018.

(5) THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2020 SHALL INCLUDE A 3.0% RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT

08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES FOR FISCAL YEAR 2019.

AMENDMENT NO. 8

On page 25, strike in their entirety lines 4 through 18, inclusive.

AMENDMENT NO. 9

On page 27, after line 6, insert:

“7-311.

(j) (1) Except as provided in paragraph (2) of this subsection [and § 13-209(g) of the Tax – Property Article], for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000.”.

On pages 31 and 32, strike in their entirety the lines beginning with line 5 on page 31 through line 8 on page 32, inclusive.

On page 32, in line 9, strike “(h)” and substitute “**(G)**”; and in line 11, strike “or (g)”.

AMENDMENT NO. 10

On pages 27 and 28, strike in their entirety the lines beginning with line 29 on page 27 through line 6 on page 28, inclusive.

AMENDMENT NO. 11

On page 28, after line 6, insert:

“Article – State Government

9-20B-05.

(f) The Administration shall use the Fund:

(1) to invest in the promotion, development, and implementation of:

(i) cost-effective energy efficiency and conservation programs, projects, or activities, including measurement and verification of energy savings;

(ii) renewable and clean energy resources;

(iii) climate change programs directly related to reducing or mitigating the effects of climate change; and

(iv) demand response programs that are designed to promote changes in electric usage by customers in response to:

1. changes in the price of electricity over time; or

2. incentives designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized;

(2) to provide targeted programs, projects, activities, and investments to reduce electricity consumption by customers in the low-income and moderate-income residential sectors;

(3) to provide supplemental funds for low-income energy assistance through the Electric Universal Service Program established under § 7-512.1 of the Public Utilities Article and other electric assistance programs in the Department of Human Resources;

(4) to provide rate relief by offsetting electricity rates of residential customers, including an offset of surcharges imposed on ratepayers under § 7-211 of the Public Utilities Article;

(5) to provide grants, loans, and other assistance and investment as necessary and appropriate to implement the purposes of the Program as set forth in § 9-20B-03 of this subtitle;

(6) to implement energy-related public education and outreach initiatives regarding reducing energy consumption and greenhouse gas emissions;

(7) to provide rebates under the Electric Vehicle Recharging Equipment Rebate Program established under § 9-2009 of this title; [and]

(8) TO PROVIDE GRANTS TO ENCOURAGE COMBINED HEAT AND POWER PROJECTS AT INDUSTRIAL FACILITIES; AND

~~[(8)]~~ **(9)** to pay the expenses of the Program.”.

AMENDMENT NO. 12

On page 29, strike in their entirety lines 28 through 33, inclusive.

AMENDMENT NO. 13

On page 30, after line 8, insert:

“7-211.

(d) (1) In this subsection, “port facility” includes at least 1 or a combination of:

(i) lands, piers, docks, wharves, warehouses, sheds, transit sheds, elevators, compressors, refrigeration storage plants, buildings, structures, and other facilities, appurtenances, and equipment that is useful or designed for use in connection with shipbuilding, ship repair, or the operation of a port;

(ii) every kind of terminal, storage structure, or facility that is useful or designed for use in handling, storing, loading, or unloading freight or passengers at marine terminals; and

(iii) every kind of transportation facility that is useful or designed for use in connection with any of these.

(2) An interest of a person in property in a port facility that is owned by the federal government or the State, any of their agencies or instrumentalities, or a county or municipal corporation is not subject to the property tax.

(3) AN INTEREST OF A PERSON IN CRANES USED AT MARYLAND PORT ADMINISTRATION FACILITIES IS NOT SUBJECT TO THE PROPERTY TAX.”.

On page 47, after line 23, insert:

“SECTION 26. AND BE IT FURTHER ENACTED, That § 7-211(d) of the Tax – Property Article, as enacted by Section 1 of this Act, shall be applicable to all taxable years beginning after December 31, 2015.”.

AMENDMENT NO. 14

On page 32, after line 19, insert:

“Article – Transportation

5–415.

(a) In this section, “Fire Rescue Service” means the Maryland Aviation Administration Fire Rescue Service.

(b) Subject to [subsection (c)] **SUBSECTIONS (C) AND (E)** of this section, the Fire Rescue Service [shall] **MAY** charge an ambulance transport fee [set in regulations adopted under subsection (d) of this section] to an individual if the Fire Rescue Service transports the individual to a hospital from property owned by the Administration or property subject to a mutual aid agreement to which the Administration is a party.

(c) [(1)] The Fire Rescue Service may not:

[(i)] (1) Question an individual about ability to pay [the] **AN** ambulance transport fee at the time that ambulance transportation is requested or provided; or

[(ii)] (2) Fail to provide ambulance transportation and emergency medical services because of an individual’s actual or perceived inability to pay [the] **AN** ambulance transport fee.

[(2)] (D) The Administration may procure the services of a third party billing company to administer [its] **AN** ambulance transport fee program **UNDER THIS SECTION.**

[(d)] (E) [The] **BEFORE THE FIRE RESCUE SERVICE MAY CHARGE AN AMBULANCE TRANSPORT FEE UNDER THIS SECTION, THE** Administration shall adopt regulations to:

(1) Set the **AMOUNT OF THE** ambulance transport fee; and

(2) Administer the collection of the ambulance transport fee, including regulations governing:

(i) A waiver of the ambulance transport fee in the event of financial hardship;

(ii) The acceptance of reduced payments by commercial insurers and other third-party payors, including Medicare and Medicaid; and

(iii) A requirement that each individual receiving an ambulance transport provide financial information, including the individual's insurance coverage, and assign insurance benefits to the Administration.

[(e)] (F) The Administration shall deposit the fees collected under this section in the Transportation Trust Fund.”.

AMENDMENT NO. 15

On page 33, in line 37, strike “**\$20,000,000**” and substitute “**\$25,000,000**”.

AMENDMENT NO. 16

On page 34, after line 34, insert:

“Chapter 397 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(b) (1) The Authority shall complete a study and submit a report on the status of its initiative to implement all–electronic tolling in accordance with this subsection.

(2) The study shall include:

(i) an analysis of all–electronic tolling in other states and a description of various all–electronic tolling programs;

(ii) an analysis of electronic toll collection interoperability;

(iii) an analysis of:

1. alternative payment methods that do not exceed the existing cash toll rate at each project;

2. a video toll rate based on an analysis of actual costs and potential savings to collect video tolls; [and]

3. a toll rate needed to address concerns with video toll collection associated with trucks AND CORRESPONDING AXLE COMBINATIONS;

4. INNOVATIVE PROCUREMENT MODELS IMPLEMENTED IN OTHER STATES, INCLUDING MODELS FOR SELECTING THE BEST ROADSIDE AND BACK OFFICE SYSTEMS FOR TOLL COLLECTION AND SYSTEM PROCESSING; AND

5. THE ECONOMIC BENEFITS OF ENSURING A HIGHLY COMPETITIVE PROCUREMENT MODEL;

(iv) an analysis of issues and factors related to all–electronic tolling that must be addressed before all–electronic tolling becomes effective at each project;

(v) an overview of revisions, if any, to the Authority’s initial all–electronic tolling proposal; and

(vi) proposed legislation, if required, relating to the implementation of all–electronic tolling.

(3) The Authority shall submit a report of its findings and recommendations on or before January 1, 2016, to:

(i) the County Executive and County Council of Cecil County;

(ii) the County Executive and County Council of Harford County;

(iii) the Mayor and Town Commission of the Town of Perryville;

(iv) the Mayor and City Council of the City of Havre de Grace; and

(v) in accordance with § 2–1246 of the State Government Article, the House Committee on Ways and Means and the Senate Finance Committee.”.

AMENDMENT NO. 17

On page 36, after line 5, insert:

“Article – State Finance and Procurement7-311.

(j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year [2007] 2017 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation to:

(I) the Account equal to ONE-HALF OF the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; AND

(II) THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM EQUAL TO ONE-HALF OF THE AMOUNT BY WHICH THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS \$10,000,000.”

AMENDMENT NO. 18

On page 42, in line 19, strike “or”; and in line 21, after the second “Maryland” insert “:

(iii) increased payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7-601 of the Transportation Article; or

(iv) operationally critical staff”;

and before line 22, insert:

“(d) On or before December 1, 2015, in accordance with § 2-1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as operationally critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(e) On or before December 1, 2015, in accordance with § 2–1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all Executive Branch staff identified as operationally critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”

AMENDMENT NO. 19

On page 42, in line 13, after “(a)” insert “(1)”; in line 17, strike “(b)” and substitute “(2)”; in the same line, strike “provision” and substitute “subsection”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “(i)” and “(ii)”, respectively; and after line 21, insert:

“(b) (1) This subsection does not apply to the Executive Pay Plan.

(2) No plan of compensation for any State position of employment may be amended to provide a rate of compensation lower than the rate provided for the position in effect on January 1, 2015.

(c) (1) The amount of salary lost by a State employee as a result of any reduction in the employee’s rate of compensation on or after July 1, 2015, below the rate of compensation of the employee in the same position in effect on January 1, 2015, attributable to the failure to include in the fiscal 2016 budget an appropriation sufficient to continue to fund the cost-of-living adjustments for State employees that took effect on January 1, 2015, shall be included by the State Retirement and Pension Systems in the calculation of the employee’s earnable compensation for the purpose of determining retirement benefits.

(2) The Board of Trustees for the State Retirement and Pension System may adopt any policies and procedures necessary to carry out the provisions of this subsection.”

AMENDMENT NO. 20

On page 43, in line 17, strike “\$4,000,000” and substitute “\$3,500,000”.

AMENDMENT NO. 21

On page 47, strike in their entirety lines 6 through 11, inclusive.

AMENDMENT NO. 22

On page 47, after line 15, insert:

“SECTION 23. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2016, the Governor may transfer from the Special Fund for Preservation of Cultural Arts in Maryland established under § 4–801 of the Economic Development Article:

(1) \$50,000 as a grant to the Board of Trustees of Sotterley Plantation Museum;

(2) \$125,000 as a grant to the Maryland Historical Society;

(3) \$225,000 as a grant to the Maryland Humanities Council;

(4) \$790,042 as a grant to the Maryland State Arts Council for the purpose of making grants to arts organizations;

(5) \$467,000 as a grant to the Maryland Academy of Sciences; and

(6) \$342,958 to the General Fund.”.

AMENDMENT NO. 23

On page 47, in lines 12, 24, 26, and 28, strike “23.”, “26.”, “27.”, and “28.”, respectively, and substitute “22.”, “27.”, “28.”, and “29.”, respectively; and in line 29, strike “26 and 27” and substitute “27 and 28”, respectively.

Senator Kasemeyer moved, duly seconded, to make the Bill and Amendments a Special Order for March 25, 2015.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #14

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 269 – Senators Lee, Bates, Guzzone, Kagan, Kelley, King, Madaleno, Montgomery, Nathan–Pulliam, Ramirez, Raskin, Rosapepe, and Simonaire

AN ACT concerning

Domestic Violence – Additional Relief**SB0269/678372/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 269

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “an” in line 3 down through “and” in line 6; in line 7, strike “appropriate” and substitute “necessary to protect a person eligible for relief from abuse”; in line 10, strike “4–504.1(b), 4–505(a)(1), and”; and in line 15, strike “4–504.1(c), 4–505(a)(2), and”.

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 21 on page 1 through line 10 on page 4, inclusive.

On page 5, in line 33, strike “**APPROPRIATE**” and substitute “**NECESSARY TO PROTECT A PERSON ELIGIBLE FOR RELIEF FROM ABUSE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 413 – Senators Gladden, Currie, Ferguson, Lee, Madaleno, Manno, Muse, Nathan–Pulliam, Pinsky, and Ramirez

AN ACT concerning

Vehicle Laws – Race–Based Traffic Stops – Policy and Reporting Requirements

SB0413/558376/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 413

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “terms;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 6, in line 6, after “2015.” insert “It shall remain effective for a period of 5 years and, at the end of May 31, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 567 – Senator Gladden

AN ACT concerning

Department of Human Resources – State Child Welfare System – Report

SB0567/638072/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 567

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “site” insert “within a certain time;”.

AMENDMENT NO. 2

On page 2, after line 25, insert:

“(6) THE NUMBER OF EXITS TO REUNIFICATION AND REENTRIES WITHIN 24 MONTHS AFTER EXIT;”;

in line 26, strike “(6)” and substitute “(7)”; and strike lines 28 and 29 in their entirety.

AMENDMENT NO. 3

On page 3, in line 15, after “SITE” insert “WITHIN 30 DAYS OF SUBMISSION OF THE REPORT TO THE GENERAL ASSEMBLY”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 649 – Senator Muse

AN ACT concerning

Real Property – Contract for Sale of New Home

SB0649/418674/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 649

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Muse” and substitute “Senators Muse and Ramirez”; strike beginning with “repealing” in line 3 down through “change” in line 5 and substitute “requiring a contract for the initial sale of a new home to include a certain provision under certain circumstances; authorizing a seller or a purchaser to declare a certain contract void and of no effect under certain circumstances; requiring a seller to return to a purchaser any deposit paid under a certain contract under certain circumstances”.

AMENDMENT NO. 2

On page 1, in lines 18 and 19, strike the brackets; in lines 20 and 21, strike the brackets; in line 21, strike “**THE**”; in the same line, strike the third “the” and substitute “:

(I) THE”;

and in line 22, after “accept” insert “; AND”

(II) THE TIME PERIOD WITHIN WHICH THE PURCHASER MUST OBTAIN A WRITTEN COMMITMENT FOR A LOAN.

(3) IF A PURCHASER DOES NOT OBTAIN A WRITTEN COMMITMENT FOR A LOAN IN ACCORDANCE WITH THE TERMS OF THE CONTRACT, INCLUDING TERMS RELATING TO THE TIME PERIOD FOR OBTAINING THE WRITTEN COMMITMENT:

(I) AT THE SELLER’S ELECTION AND ON WRITTEN NOTICE TO THE PURCHASER, THE SELLER MAY DECLARE THE CONTRACT VOID AND OF NO EFFECT; OR

(II) ON WRITTEN NOTICE TO THE SELLER ACCOMPANIED BY WRITTEN DOCUMENTATION FROM A LENDER EVIDENCING THE PURCHASER’S INABILITY TO OBTAIN A LOAN IN ACCORDANCE WITH THE TERMS OF THE CONTRACT, THE PURCHASER MAY DECLARE THE CONTRACT VOID AND OF NO EFFECT.

(4) THE SELLER SHALL RETURN TO THE PURCHASER ANY DEPOSIT PAID UNDER THE CONTRACT IF:

(I) THE PURCHASER HAS COMPLIED WITH THE PURCHASER’S OBLIGATIONS UNDER THE CONTRACT; AND

(II) THE PURCHASER OR THE SELLER HAS DECLARED THE CONTRACT VOID AND OF NO EFFECT UNDER PARAGRAPH (3) OF THIS SUBSECTION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 671 – Senators Young, Montgomery, and Rosapepe

AN ACT concerning

**Motor Vehicle Administration – Commercial Driver’s License – Program for
Veterans and Service Members
(Troops to Trucks)**

SB0671/548377/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 671

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, Zirkin, Gladden, Brochin, Cassilly, Hough, Lee, Muse, Ramirez, Raskin, and Ready”.

AMENDMENT NO. 2

On page 1, in line 7, strike “and find employment”; in line 9, strike the comma and substitute “and”; in the same line, strike “provide” and substitute “explore the feasibility of providing”; and in line 10, strike “, and establish a certain process; requiring” and substitute “; authorizing”.

AMENDMENT NO. 3

On page 2, in lines 15 and 16, strike “AND FIND EMPLOYMENT”; in line 20, after the semicolon insert “AND”; in line 23, strike “PROVIDE” and substitute “EXPLORE THE FEASIBILITY OF PROVIDING”; strike beginning with the semicolon in line 24 down through “EMPLOYMENT” in line 26; and in line 27, strike “SHALL” and substitute “MAY”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 716 – Senators Raskin, Astle, Bates, Benson, Feldman, Klausmeier,
Lee, Montgomery, Muse, Norman, and Ready**

AN ACT concerning

Motor Vehicles – Checkpoints – Prohibition on Targeting Motorcycles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 735 – Senator Zirkin

AN ACT concerning

Office of the Public Defender – Eligibility – Requirements

SB0735/858274/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 735

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “and the Comptroller”.

AMENDMENT NO. 2

On page 3, in line 1, after “(i)” insert “1.”; in line 2, strike “and the Comptroller”; and after line 3, insert:

“2. THE OFFICE MAY SUBMIT REQUESTS TO THE COMPTROLLER FOR INFORMATION REGARDING THE EMPLOYMENT STATUS AND INCOME OF APPLICANTS.”

The preceding 2 amendments were read only.

Senator Conway moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 756 – Senator Muse

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Foreclosure Relief Act of 2015

SB0756/438971/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 756

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “County;” in line 4; in line 5, strike “lender” and substitute “secured party”; in line 6, after “property” insert “located in certain zip codes”; in line 8, after “findings” insert “and recommendations”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 12 through 27, inclusive; and in line 29, strike “mean” and substitute “means”.

AMENDMENT NO. 3

On page 4, in line 1, strike “A” and substitute “In Prince George’s County, a”; in line 2, after “property” insert “located”; and in the same line, strike “Prince George’s County” and substitute “zip codes 20703, 20705, 20706, 20707, 20708, 20710, 20716, 20717, 20720, 20721, 20722, 20735, 20743, 20744, 20745, 20746, 20747, 20748, 20607, 20772, 20774, 20781, 20782, 20783, 20784, and 20785”.

AMENDMENT NO. 4

On page 4, in line 4, before “The” insert “(a)”; in line 5, strike “(a)” and substitute “(1)”; in lines 6, 9, 11, and 13, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively; in line 15, strike “and”; after line 15, insert:

“(2) evaluate the Foreclosure Mediation Program and make recommendations for improvements to the Program to increase the number of foreclosure sales avoided;

(3) conduct a review and accounting of State and federal foreclosure relief funds and make recommendations on harnessing and targeting the funds for mortgage principal reduction in the zip codes listed in Section 2 of this Act; and

(4) determine how many homeowners in the zip codes listed in Section 2 of this Act received mortgage principal reductions.”;

in line 16, strike “on” and substitute “On”; in the same line, strike “July 1, 2016,” and substitute “December 1, 2015, the Office of the Attorney General shall”; in line 17, after “findings” insert “and recommendations”; in lines 17 and 18, strike “of the Attorney General”; and strike beginning with “Section” in line 29 down through “effect.” in line 31.

The preceding 4 amendments were read only.

Senator Reilly moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 672 – Senators Young and Nathan–Pulliam

AN ACT concerning

Public and Nonpublic Schools – Student Diabetes Management Program

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR ECKARDT.

FLOOR AMENDMENT

SB0672/343126/2

BY: Senator Eckardt

AMENDMENTS TO SENATE BILL 672

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “each county board of education” and substitute “the Department to select a certain number of counties”; in line 7, after “schools” insert “within the jurisdiction of certain county boards of education”; in the same line, after “Management” insert “Pilot”; in line 23, after “Plan;” insert “requiring the Department to submit to certain committees of the General Assembly on or before certain dates certain reports that include certain information;”; and in the same line, after “terms;” insert “providing for the termination of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 2, in line 16, after “MANAGEMENT” insert “PILOT”.

On page 3, in line 10, strike “EACH COUNTY BOARD” and substitute “THE DEPARTMENT”; in the same line, after “SHALL” insert “SELECT TWO COUNTIES TO”; in line 11, after “BOARD” insert “IN THOSE COUNTIES”; and in line 12, after “MANAGEMENT” insert “PILOT”.

On page 5, after line 29, insert:

“(F) (1) ON OR BEFORE JUNE 1, 2016, THE DEPARTMENT SHALL SUBMIT AN INTERIM REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THAT INCLUDES:

(I) THE NUMBER OF EMPLOYEES WHO VOLUNTEERED TO PARTICIPATE IN THE PROGRAM;

(II) THE COST OF IMPLEMENTING THE PROGRAM AND COST PROJECTIONS FOR THE NEXT YEAR OF IMPLEMENTATION OF THE PROGRAM;

(III) THE NUMBER OF ADDITIONAL PERSONNEL REQUIRED TO IMPLEMENT THE PROGRAM, IF NECESSARY; AND

(IV) THE PROGRESS OF PROGRAM IMPLEMENTATION.

(2) ON OR BEFORE JUNE 1, 2017, THE DEPARTMENT SHALL SUBMIT A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE SENATE

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, INCLUDING A RECOMMENDATION ON WHETHER TO EXPAND THE PROGRAM STATEWIDE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education”.

On page 9, in line 26, strike “2.” and substitute “3.”; and in line 27, after “2015.” insert “Section 1 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2017, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 28 (See Roll Call No. 576)

Read the second time and ordered prepared for Third Reading.

RECONSIDERATION

Senator Mathias moved, duly seconded, to place **Senate Joint Resolution 5** back on second reading for the purpose of adding amendments.

The motion was adopted.

Senate Joint Resolution 5 – Senators Eckardt, Astle, Edwards, Hershey, Jennings, Norman, Ready, and Salling

A Senate Joint Resolution concerning

Natural Resources – Goose and Duck Hunting Seasons – Extension

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SJ0005/143321/1

BY: Senator Mathias

AMENDMENT TO SENATE JOINT RESOLUTION 5
(File Joint Resolution as Printed for Third Reading)

On page 1, in the sponsor line, strike “and Salling” and substitute “Salling, and Mathias”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 416 – Senators Kagan, Conway, Currie, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Madaleno, Manno, McFadden, Montgomery, Pinsky, Pugh, Raskin, Rosapepe, Waugh, and Young

AN ACT concerning

Health Insurance – ~~Mandated Benefits – In Vitro Fertilization and Artificial Insemination Procedures~~ Coverage for Infertility Services

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 577)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senator Madaleno moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Madaleno moved to suspend the rules to allow **Senate Bill 937** to be referred immediately.

The motion was adopted.

Senate Bill 937 – Senators Madaleno, Raskin, Kasemeyer, and Miller

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Powdered Alcoholic Beverages – Ban on Sales

FOR the purpose of prohibiting a person from selling or offering to sell alcoholic beverages that are sold in a powder or crystalline form for direct use or use in combination with water or any other substance; providing a certain penalty; making this Act an emergency measure; providing for the termination of this Act; and generally relating to a prohibition on the sale of powdered alcohol.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(1) and (2)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 16–505.3
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senator Hershey moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Hershey moved to suspend the rules to allow **Senate Bill 938** to be referred immediately.

The motion was adopted.

Senate Bill 938 – Senator Hershey

AN ACT concerning

Public Service Commission – Certificate of Public Convenience and Necessity – Land-Based Wind Generating Stations in Kent County

FOR the purpose of prohibiting the Public Service Commission from taking final action on an application for a certificate of public convenience and necessity for the construction of a certain land-based wind generating station that will be wholly or partly located in Kent County until the County Commissioners of Kent County have approved the construction of the generating station; and generally relating to the issuance of certificates of public convenience and necessity for land-based wind generating stations in Kent County.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–207
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 578)

ADJOURNMENT

At 12:24 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 22, 2015, Calendar Day, Wednesday, March 25, 2015.

Annapolis, Maryland
Legislative Day: March 22, 2015
Calendar Day: Wednesday, March 25, 2015
10:00 A.M. Session

The Senate met at 10:01 A.M.

Prayer by Reverend David Michaud, St. Peter's Episcopal Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of March 21, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 580)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 471 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Greater Chesapeake Region and
National Chapter of D.C. American Red Cross
in recognition of
the American Red Cross lifesaving efforts in disaster services, biomedicine, service to
Armed Forces, preparedness, health and safety.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 25th day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 581)

MARYLAND DAY REMARKS

Given by The Honorable Steve Waugh

Good morning. It's my honor to share a perspective on our great state this Maryland Day morning. I am pleased to have a special guest with us this morning, Dr. Regina Faden, Executive Director, Historic St. Mary's City Commission. Dr. Faden graciously provided each of us with *Watery Highways*, by Joseph M. Greeley.

In 1632 England, King Charles I is fighting the 30 Years War as the Holy Roman Empire collapses, people are reading the King James Bible his father authorized, and Shakespeare recently passed away. George Calvert had been a member of Parliament and Secretary of State to King James. His first Catholic colony, Avalon in Newfoundland, failed, so he took his family to the Colony of Virginia. Not welcome there, George returned to England and gained a new patent for the Catholic Colony of Maryland from King Charles I, then died. His eldest son Cecil became the 2nd Lord Baltimore, while Leonard was to travel to the new colony as Governor.

Imagine with me...we're boarding this vessel, the Ark, with 128 settlers plus crew – on a ship about the size of a double wide trailer. When the last line is let slip from the pier, we are in a survival situation having only the food and water aboard, with supplies are on another vessel, the Dove – a ship half the size. We leave the Isle of Wight on Nov 22, 1633 and sail immediately into a hurricane. We lose sight of the Dove – presumably lost with all the supplies for our colony. The main sail is torn from top to bottom; the rudder is lost. On Christmas Day we celebrate with some wine, and more than a dozen die from poisoning. We are still months away from the New World.

In January we provision in Barbados and after 2 weeks, the Dove appears on the horizon! It's quickly re-fit and we almost depart, but the Master of the Dove disappears for days while collecting a debt ashore. We Catholic colonists finally arrive in the Protestant Virginia Colony on February 24, “full of apprehension, lest the English inhabitants, who were much displeased at our settling, should be plotting something against us.” Surviving this trial, the Ark & Dove sail up the Chesapeake to the Potomac River and find St. Clements Island – where Jesuit Father Andrew White conducts the first mass in Maryland on March 25, 1634. Two days later we sail for the Indian village Governor Leonard Calvert purchased – the site of St. Mary's City. Eventually the Ark leaves the settlers for England, and a year later the Dove sails with goods, and is again presumed, lost at sea. We are on our own in St. Mary's City, in our new colony of Maryland.

St. Mary's City is the place where architectural planning, the colonial lifestyle, public ownership of property and buildings, commodities, government, an economy, a court and prison system, incorporation, open markets, ordinances, municipal activities, plantation housing, and port expansion were tested.

Historians, archeologists and researchers have thought for years that the city was a random settlement of buildings with no plan or forethought. But in the 1980s, all of the research, testing of hypothesis, and learning that fascinates me would pay off, when archeologists would learn that there was a plan. Through an obvious coming together for the exchange of knowledge and ideas, planning and plotting was at the heart of the first

smart city. A state house, market, and chapel, were situated to provide formed corners and squares where streets met, where the first brick building was formed, where equal distance related to a specific design. A study and mapping of all of the buildings revealed two perfect triangles. For its time, it has been characterized as a place of fashionable baroque ideas in urban design and sophisticated concepts in architecture, design, and symbolism. These are the impressive results of research, investigation, learning, and making connections, leading to advancement in what we know about our city – the first smart city.

So who was it that was so smart? History tells us that the 5th Governor (and mayor), Philip Calvert, and other government members knew enough to know that they needed to lean into others for the specific ideas and skills required for progress. Calvert was well-educated and connected to Richard White, a mathematician who studied geometry and researched with Galileo. He also tested and experimented with metals. His brother Thomas was a priest, published in metaphysics and geometry. Jerome White, believed to be Richard and Thomas' nephew, was appointed Surveyor General of Maryland, responsible for implementing the geometry and layout of the smart city.

What is learned and proven in the test of history is of timeless value and sets the standard for future growth. What was learned in the smart city in the 1600s transcended throughout the next century where Washington D.C. also applied the same aesthetic, symbolic and geometric approaches to urban design. Anchoring buildings like churches and state houses at opposite ends, symbolically represented the relation but separation of church and state; the birth of the liberty of conscience that was championed by leaders in our early smart city. While the same grid system of St. Mary's City was used here in Annapolis, it could appear on its face that the symbolism used in the previously tested plans of the smart city design were rejected; our State House and Anglican Church sit on adjoining circles. It was symbolic and represented the transformation of a social order in Maryland with the joining of church and state and the adoption of an official state religion. We continued to change, transform, and evolve. We moved forward.

Today, as we go about our work for our communities addressing legislation related to those same early ideals around architectural planning and development, health and social issues, public ownership of property and buildings, commodities, the economy, our court and prison system, incorporation, open markets, ordinances, and municipal activities, let's remember that it was all born out of the smart city of St. Mary's City. We are an extension of that beginning – all of us from varying places and backgrounds...colonies if you will, who don't always agree, but we strive to figure it out. I look forward to more testing, learning, and moving forward for Maryland.

Read and ordered journalized.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 70 – The Speaker (By Request – Administration)

Budget Bill**(Fiscal Year 2016)**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (45) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2015 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 70 – THE BUDGET BILL

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 70 – THE BUDGET BILL

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON HOUSE BILL 70 – THE BUDGET BILL AND
HOUSE BILL 72 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit G of Appendix III)

Committee amendments 1 through 7 were read and adopted.

Committee amendments 8 through 14 were read and adopted.

Committee amendments 15 through 21 were read and adopted.

Committee amendments 22 through 33 were read and adopted.

Committee amendments 34 through 40 were read and adopted.

Committee amendments 41 through 44 were read and adopted.

Committee amendment 45 was withdrawn.

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 582)

Read the second time and ordered prepared for Third Reading.

House Bill 72 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2015

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (23) AND THE FAVORABLE REPORT.

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 72 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit H of Appendix III)

HB0072/429137/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 72

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 22 down through “years;” in line 24 and substitute “altering the applicability of a certain provision of law relating to the percentage of a community provider’s total operating expenses that must be spent on certain employee salaries, wages, and fringe benefits; altering the calculation of the percentage of a community provider’s total operating expenses that must be spent on certain employee salaries, wages, and fringe benefits;”.

On pages 1 and 2, strike beginning with “altering” in line 24 on page 1 down through “rates;” in line 1 on page 2 and substitute “expanding the purposes for which the Maryland Energy Administration is required to use a certain fund;”.

On page 2, strike beginning with “altering” in line 3 down through “issue;” in line 5 and substitute “providing an exemption from the personal property tax for an interest of a person in cranes at Maryland Port Administration facilities; authorizing, rather than requiring, the Maryland Aviation Administration Fire Rescue Service to charge a certain ambulance transport fee; making conforming and clarifying changes to provisions of law relating to a certain ambulance transport fee;”; in line 12, after “circumstances;” insert “altering the requirements of a study to be performed by the Maryland Transportation Authority;”; in line 15, after “employees;” insert “altering a certain required appropriation so as to require an appropriation of a certain amount to certain accumulation funds of the

State Retirement and Pension System;”; and in line 26, after “circumstances;” insert “prohibiting certain plans of compensation for State positions of employment to be amended to provide a rate of compensation lower than the rate in effect on a certain date; requiring that the amount of salary lost by a State employee as a result of a certain reduction in the employee’s rate of compensation on or after a certain date be included in the calculation of the employee’s earnable compensation by the State Retirement and Pension System for the purpose of determining retirement benefits; authorizing the Board of Trustees for the State Retirement and Pension System to adopt certain policies and procedures; requiring certain reports;”.

On page 3, strike beginning with “setting” in line 2 down through “facility;” in line 4; in line 31, after “Section” insert “5–202(a)(13)(ii), (iii), and (iv).”; in line 32, after “16–305(c)(1)(i),” insert “16–512(a)(1)(x) and (xi)”; and in line 39, after “Section” insert “5–202(a)(13)(v) and (vi) and”.

On page 4, after line 35, insert:

“BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–306.3(b)(1) and (2) and 7–307(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)”;

and strike in its entirety line 38 and substitute “Section 8–709(d)”.

On page 5, in line 15, strike “17–220(d)(2) and 17–222(a)” and substitute “7–311(j)(1)”; after line 17, insert:

“BY repealing and reenacting, with amendments,
Article – State Government
Section 9–20B–05(f)
Annotated Code of Maryland
(2014 Replacement Volume)”;

in line 26, strike “10–730(f)(1),”; in line 36, after “Section” insert “7–211(d) and”; in the same line, strike “.(g).”; and after line 38, insert:

“BY repealing
Article – Tax – Property

Section 13–209(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 5–415
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)”.

On page 6, after line 14, insert:

“BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2014
Section 1(b)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–311(j)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)
(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 12, after line 22, insert:

“(a) (13) “Target per pupil foundation amount” means:

(ii) Except as provided in items (iii) [and], (iv), (V), AND (VI) of this
paragraph, in subsequent fiscal years:

1. The target per pupil foundation amount for the prior fiscal
year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and
local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 5%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year;

(iii) In fiscal year 2012, \$6,694; [and]

(iv) In each of fiscal years 2013 through 2015:

1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 1%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year;

(V) IN FISCAL YEAR 2016, \$6,954; AND

(VI) IN EACH OF FISCAL YEARS 2017 THROUGH 2020:

1. THE TARGET PER PUPIL FOUNDATION AMOUNT FOR THE PRIOR FISCAL YEAR INCREASED BY THE SAME PERCENTAGE AS THE LESSER OF:

A. THE INCREASE IN THE IMPLICIT PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT EXPENDITURES FOR THE SECOND PRIOR FISCAL YEAR;

B. THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON–BALTIMORE METROPOLITAN AREA, OR ANY SUCCESSOR INDEX, FOR THE SECOND PRIOR FISCAL YEAR; OR

C. 1.5%; OR

2. IF THERE IS NO INCREASE IN THE IMPLICIT PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT EXPENDITURES FOR THE SECOND PRIOR FISCAL YEAR OR IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON–BALTIMORE METROPOLITAN AREA, OR ANY SUCCESSOR INDEX, FOR THE SECOND PRIOR FISCAL YEAR, THE TARGET PER PUPIL FOUNDATION AMOUNT SHALL BE THE AMOUNT FOR THE PRIOR FISCAL YEAR.”

AMENDMENT NO. 3

On page 14, in line 17, strike “21.0%” and substitute “**20.75%**”; in line 22, strike “22.0%” and substitute “**21%**”; and in line 27, strike “23%” and substitute “**21%**”.

AMENDMENT NO. 4

On page 17, after line 10, insert:

“16–512.

(a) (1) The total State operating fund per full–time equivalent student appropriated to Baltimore City Community College for each fiscal year other than fiscal year 2013, as requested by the Governor shall be:

(x) In fiscal year 2019, not less than an amount equal to [61%] 60% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for

the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xi) In fiscal year 2020, not less than an amount equal to [62.5%] 60% of the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;”.

AMENDMENT NO. 5

On page 18, in line 4, strike “10.1%” and substitute “9.6%”; in line 7, strike “10.5%” and substitute “9.6%”; in line 10, strike “10.8%” and substitute “9.6%”; and in line 13, strike “11.1%” and substitute “9.6%”.

AMENDMENT NO. 6

On page 25, after line 2, insert:

“Article – Health – General

7-306.3.

(b) (1) **(I) [This] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS subsection applies in fiscal [2015] YEAR 2016 and each fiscal year thereafter before the earlier of:**

[(i)] 1. The implementation of the payment system required under § 7-306.2 of this subtitle; or

[(ii)] 2. The end of fiscal year 2019.

(II) THIS SUBSECTION DOES NOT APPLY IN ANY FISCAL YEAR IN WHICH THE RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS IS LESS THAN 3.0% OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES PROGRAM M00M01.02 COMMUNITY SERVICES IN THE PRIOR FISCAL YEAR.

(2) The percentage of a community provider’s total reported operating expenses, excluding interest on capital and other capital expenses, that is spent on direct

support employee salaries, wages, and fringe benefits for a fiscal year, as reported to the Department by the provider in its fiscal year cost report data form, may not be less than the percentage of the community provider's total reported operating expenses spent on direct support employee salaries, wages, and fringe benefits for [fiscal year 2014] **THE LAST FISCAL YEAR IN WHICH THE RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS IS LESS THAN 3.0% OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES IN THE PRIOR FISCAL YEAR.**"

AMENDMENT NO. 7

On page 25, before line 3, insert:

"7-307.

(d) (1) The Governor's proposed budget for fiscal year 2016 shall include a [3.5%] **3.0%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2015.

(2) The Governor's proposed budget for fiscal year 2017 shall include a [3.5%] **3.0%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2016.

(3) The Governor's proposed budget for fiscal year 2018 shall include a [3.5%] **3.0%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2017.

(4) The Governor's proposed budget for fiscal year 2019 shall include a [3.5%] **3.0%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2018.

(5) THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2020 SHALL INCLUDE A 3.0% RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT

08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES FOR FISCAL YEAR 2019.

AMENDMENT NO. 8

On page 25, strike in their entirety lines 4 through 18, inclusive.

AMENDMENT NO. 9

On page 27, after line 6, insert:

“7-311.

(j) (1) Except as provided in paragraph (2) of this subsection [and § 13-209(g) of the Tax – Property Article], for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000.”.

On pages 31 and 32, strike in their entirety the lines beginning with line 5 on page 31 through line 8 on page 32, inclusive.

On page 32, in line 9, strike “(h)” and substitute “**(G)**”; and in line 11, strike “or (g)”.

AMENDMENT NO. 10

On pages 27 and 28, strike in their entirety the lines beginning with line 29 on page 27 through line 6 on page 28, inclusive.

AMENDMENT NO. 11

On page 28, after line 6, insert:

“Article – State Government

9-20B-05.

(f) The Administration shall use the Fund:

(1) to invest in the promotion, development, and implementation of:

(i) cost-effective energy efficiency and conservation programs, projects, or activities, including measurement and verification of energy savings;

(ii) renewable and clean energy resources;

(iii) climate change programs directly related to reducing or mitigating the effects of climate change; and

(iv) demand response programs that are designed to promote changes in electric usage by customers in response to:

1. changes in the price of electricity over time; or

2. incentives designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized;

(2) to provide targeted programs, projects, activities, and investments to reduce electricity consumption by customers in the low-income and moderate-income residential sectors;

(3) to provide supplemental funds for low-income energy assistance through the Electric Universal Service Program established under § 7-512.1 of the Public Utilities Article and other electric assistance programs in the Department of Human Resources;

(4) to provide rate relief by offsetting electricity rates of residential customers, including an offset of surcharges imposed on ratepayers under § 7-211 of the Public Utilities Article;

(5) to provide grants, loans, and other assistance and investment as necessary and appropriate to implement the purposes of the Program as set forth in § 9-20B-03 of this subtitle;

(6) to implement energy-related public education and outreach initiatives regarding reducing energy consumption and greenhouse gas emissions;

(7) to provide rebates under the Electric Vehicle Recharging Equipment Rebate Program established under § 9-2009 of this title; [and]

(8) TO PROVIDE GRANTS TO ENCOURAGE COMBINED HEAT AND POWER PROJECTS AT INDUSTRIAL FACILITIES; AND

~~[(8)]~~ **(9)** to pay the expenses of the Program.”.

AMENDMENT NO. 12

On page 29, strike in their entirety lines 28 through 33, inclusive.

AMENDMENT NO. 13

On page 30, after line 8, insert:

“7-211.

(d) (1) In this subsection, “port facility” includes at least 1 or a combination of:

(i) lands, piers, docks, wharves, warehouses, sheds, transit sheds, elevators, compressors, refrigeration storage plants, buildings, structures, and other facilities, appurtenances, and equipment that is useful or designed for use in connection with shipbuilding, ship repair, or the operation of a port;

(ii) every kind of terminal, storage structure, or facility that is useful or designed for use in handling, storing, loading, or unloading freight or passengers at marine terminals; and

(iii) every kind of transportation facility that is useful or designed for use in connection with any of these.

(2) An interest of a person in property in a port facility that is owned by the federal government or the State, any of their agencies or instrumentalities, or a county or municipal corporation is not subject to the property tax.

(3) AN INTEREST OF A PERSON IN CRANES USED AT MARYLAND PORT ADMINISTRATION FACILITIES IS NOT SUBJECT TO THE PROPERTY TAX.”.

On page 47, after line 23, insert:

“SECTION 26. AND BE IT FURTHER ENACTED, That § 7-211(d) of the Tax – Property Article, as enacted by Section 1 of this Act, shall be applicable to all taxable years beginning after December 31, 2015.”.

AMENDMENT NO. 14

On page 32, after line 19, insert:

“Article – Transportation

5–415.

(a) In this section, “Fire Rescue Service” means the Maryland Aviation Administration Fire Rescue Service.

(b) Subject to [subsection (c)] **SUBSECTIONS (C) AND (E)** of this section, the Fire Rescue Service [shall] **MAY** charge an ambulance transport fee [set in regulations adopted under subsection (d) of this section] to an individual if the Fire Rescue Service transports the individual to a hospital from property owned by the Administration or property subject to a mutual aid agreement to which the Administration is a party.

(c) **[(1)]** The Fire Rescue Service may not:

[(i)] (1) Question an individual about ability to pay [the] **AN** ambulance transport fee at the time that ambulance transportation is requested or provided; or

[(ii)] (2) Fail to provide ambulance transportation and emergency medical services because of an individual’s actual or perceived inability to pay [the] **AN** ambulance transport fee.

[(2)] (D) The Administration may procure the services of a third party billing company to administer [its] **AN** ambulance transport fee program **UNDER THIS SECTION.**

[(d)] (E) [The] **BEFORE THE FIRE RESCUE SERVICE MAY CHARGE AN AMBULANCE TRANSPORT FEE UNDER THIS SECTION, THE** Administration shall adopt regulations to:

(1) Set the **AMOUNT OF THE** ambulance transport fee; and

(2) Administer the collection of the ambulance transport fee, including regulations governing:

(i) A waiver of the ambulance transport fee in the event of financial hardship;

(ii) The acceptance of reduced payments by commercial insurers and other third-party payors, including Medicare and Medicaid; and

(iii) A requirement that each individual receiving an ambulance transport provide financial information, including the individual's insurance coverage, and assign insurance benefits to the Administration.

[(e)] (F) The Administration shall deposit the fees collected under this section in the Transportation Trust Fund.”.

AMENDMENT NO. 15

On page 33, in line 37, strike “\$20,000,000” and substitute “\$25,000,000”.

AMENDMENT NO. 16

On page 34, after line 34, insert:

“Chapter 397 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(b) (1) The Authority shall complete a study and submit a report on the status of its initiative to implement all–electronic tolling in accordance with this subsection.

(2) The study shall include:

(i) an analysis of all–electronic tolling in other states and a description of various all–electronic tolling programs;

(ii) an analysis of electronic toll collection interoperability;

(iii) an analysis of:

1. alternative payment methods that do not exceed the existing cash toll rate at each project;

2. a video toll rate based on an analysis of actual costs and potential savings to collect video tolls; [and]

3. a toll rate needed to address concerns with video toll collection associated with trucks AND CORRESPONDING AXLE COMBINATIONS;

4. INNOVATIVE PROCUREMENT MODELS IMPLEMENTED IN OTHER STATES, INCLUDING MODELS FOR SELECTING THE BEST ROADSIDE AND BACK OFFICE SYSTEMS FOR TOLL COLLECTION AND SYSTEM PROCESSING; AND

5. THE ECONOMIC BENEFITS OF ENSURING A HIGHLY COMPETITIVE PROCUREMENT MODEL;

(iv) an analysis of issues and factors related to all–electronic tolling that must be addressed before all–electronic tolling becomes effective at each project;

(v) an overview of revisions, if any, to the Authority’s initial all–electronic tolling proposal; and

(vi) proposed legislation, if required, relating to the implementation of all–electronic tolling.

(3) The Authority shall submit a report of its findings and recommendations on or before January 1, 2016, to:

(i) the County Executive and County Council of Cecil County;

(ii) the County Executive and County Council of Harford County;

(iii) the Mayor and Town Commission of the Town of Perryville;

(iv) the Mayor and City Council of the City of Havre de Grace; and

(v) in accordance with § 2–1246 of the State Government Article, the House Committee on Ways and Means and the Senate Finance Committee.”.

AMENDMENT NO. 17

On page 36, after line 5, insert:

“Article – State Finance and Procurement7-311.

(j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year [2007] 2017 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation to:

(I) the Account equal to ONE-HALF OF the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; AND

(II) THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM EQUAL TO ONE-HALF OF THE AMOUNT BY WHICH THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS \$10,000,000.”.

AMENDMENT NO. 18

On page 42, in line 19, strike “or”; and in line 21, after the second “Maryland” insert “
”

(iii) increased payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7-601 of the Transportation Article; or

(iv) operationally critical staff”;

and before line 22, insert:

“(d) On or before December 1, 2015, in accordance with § 2-1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as operationally critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(e) On or before December 1, 2015, in accordance with § 2-1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all Executive Branch staff identified as operationally critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”

AMENDMENT NO. 19

On page 42, in line 13, after “(a)” insert “(1)”; in line 17, strike “(b)” and substitute “(2)”; in the same line, strike “provision” and substitute “subsection”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “(i)” and “(ii)”, respectively; and after line 21, insert:

“(b) (1) This subsection does not apply to the Executive Pay Plan.

(2) No plan of compensation for any State position of employment may be amended to provide a rate of compensation lower than the rate provided for the position in effect on January 1, 2015.

(c) (1) The amount of salary lost by a State employee as a result of any reduction in the employee’s rate of compensation on or after July 1, 2015, below the rate of compensation of the employee in the same position in effect on January 1, 2015, attributable to the failure to include in the fiscal 2016 budget an appropriation sufficient to continue to fund the cost-of-living adjustments for State employees that took effect on January 1, 2015, shall be included by the State Retirement and Pension Systems in the calculation of the employee’s earnable compensation for the purpose of determining retirement benefits.

(2) The Board of Trustees for the State Retirement and Pension System may adopt any policies and procedures necessary to carry out the provisions of this subsection.”

AMENDMENT NO. 20

On page 43, in line 17, strike “\$4,000,000” and substitute “\$3,500,000”.

AMENDMENT NO. 21

On page 47, strike in their entirety lines 6 through 11, inclusive.

AMENDMENT NO. 22

On page 47, after line 15, insert:

“SECTION 23. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2016, the Governor may transfer from the Special Fund for Preservation of Cultural Arts in Maryland established under § 4–801 of the Economic Development Article:

(1) \$50,000 as a grant to the Board of Trustees of Sotterley Plantation Museum;

(2) \$125,000 as a grant to the Maryland Historical Society;

(3) \$225,000 as a grant to the Maryland Humanities Council;

(4) \$790,042 as a grant to the Maryland State Arts Council for the purpose of making grants to arts organizations;

(5) \$467,000 as a grant to the Maryland Academy of Sciences; and

(6) \$342,958 to the General Fund.”.

AMENDMENT NO. 23

On page 47, in lines 12, 24, 26, and 28, strike “23.”, “26.”, “27.”, and “28.”, respectively, and substitute “22.”, “27.”, “28.”, and “29.”, respectively; and in line 29, strike “26 and 27” and substitute “27 and 28”, respectively.

Committee amendments 1 through 7 were read and adopted.

Committee amendments 8 through 12 were read and adopted.

Committee amendments 13 through 17 were read and adopted.

Committee amendments 18 through 23 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0072/813123/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 72
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 37, after “systems;” insert “altering the rate of member contributions, on or after a certain date, for certain members of the Employees’ Pension System, the Teachers’ Pension System, the Law Enforcement Officers’ Pension System, and the Judges’ Retirement System;”.

On page 7, in line 26, strike “(b)(1) and 21–308(a)” and substitute “(b)(1), 21–308(a), 23–212(c) and (d), 26–204(a), and 27–202”.

AMENDMENT NO. 2

On page 50, in line 13, strike “\$75,000,000” and substitute “\$175,000,000”; and after line 30, insert:

“23–212.

(c) The contribution rate of a member who is subject to the Alternate Contributory Pension Selection under Part III of this subtitle is:

(1) 3% of the member’s earnable compensation received from July 1, 2006 to June 30, 2007, both inclusive;

(2) 4% of the member’s earnable compensation received from July 1, 2007 to June 30, 2008, both inclusive;

(3) 5% of the member’s earnable compensation received from July 1, 2008 to June 30, 2011, both inclusive; [and]

(4) 7% of the member’s earnable compensation received [on or after] FROM July 1, 2011 TO JUNE 30, 2016, INCLUSIVE; AND

(5) 6% OF THE MEMBER’S EARNABLE COMPENSATION RECEIVED ON OR AFTER JULY 1, 2016.

(d) The contribution rate of a member who is subject to the reformed contributory pension benefit under Part IV of this subtitle is:

(1) 7% of the member’s earnable compensation RECEIVED FROM JULY 1, 2011 TO JUNE 30, 2016, INCLUSIVE; AND

(2) 6% OF THE MEMBER’S EARNABLE COMPENSATION RECEIVED ON OR AFTER JULY 1, 2016.

26–204.

(a) Except as provided in subsection (b) of this section, a member’s contribution rate is:

(1) 4% of the member’s earnable compensation received before July 1, 2011;

(2) 6% of the member’s earnable compensation received from July 1, 2011 to June 30, 2012, both inclusive; [and]

(3) 7% of the member’s earnable compensation received [on or after] FROM July 1, 2012 TO JUNE 30, 2016, INCLUSIVE; AND

(4) 6% OF THE MEMBER’S EARNABLE COMPENSATION RECEIVED ON OR AFTER JULY 1, 2016.

27–202.

(a) Except as provided in subsection (b) of this section, a member’s contribution rate is:

(1) 8% of the member’s earnable compensation RECEIVED FROM JULY 1, 2012 TO JUNE 30, 2016, INCLUSIVE; AND

(2) 6% OF THE MEMBER’S EARNABLE COMPENSATION RECEIVED ON OR AFTER JULY 1, 2016.

(b) After 16 years of service as a member, a member does not make any further contributions.”.

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 425 – Howard County Delegation

AN ACT concerning

**Howard County – Casino Events – Authorized
Ho. Co. 7-15**

FOR the purpose of authorizing certain organizations to hold certain casino events in Howard County at certain intervals of time; requiring an organization to obtain a permit from the Howard County Department of Inspections, Licenses, and Permits before operating a casino event; requiring the Howard County Executive to forward a recommendation to the Howard County Council concerning the fee to be charged for a permit; requiring the County Council to adopt by resolution the amount of the permit fee; specifying the types of organizations eligible to conduct a casino event; requiring a permit holder for a casino event to ensure that certain standards are met; requiring an individual who participates in or helps operate a casino event to be of a certain age; authorizing a permit holder under this Act to charge only a preset entrance fee; requiring participants in a casino event to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report and certain information about winners of certain prizes to the Department; requiring the Department to forward a certain report and certain information to the State Lottery and Gaming Control Commission; prohibiting a permit holder from offering cumulative prizes in excess of a certain amount; specifying certain prohibited acts and reporting requirements for a permit holder for a casino event; requiring the Department to adopt certain regulations governing casino events; altering in Howard County the application of certain general provisions of law governing gaming in the State; establishing certain exceptions to prohibitions against conducting a casino event or operating or awarding prizes using certain gaming devices; defining a certain term; and generally relating to casino events in Howard County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13-1601, 13-1603, and 13-1604
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to

Article – Criminal Law
Section 13–1602.1
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 449 – Delegates Fraser–Hidalgo, S. Robinson, Anderson, Angel, Atterbeary, Barkley, B. Barnes, Beidle, Carr, Cullison, Ebersole, Frush, Gutierrez, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Kelly, Lam, Lierman, Luedtke, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnik, Pendergrass, Platt, Reznik, B. Robinson, Smith, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, C. Wilson, and K. Young

AN ACT concerning

Environment – Hydraulic Fracturing – Protect Our Health and Communities

FOR the purpose of prohibiting the Department of the Environment from issuing a permit, or accepting and reviewing an application for a permit, to authorize the hydraulic fracturing of a well for the exploration or production of oil or natural gas in the State until a certain date and until a certain panel is appointed, convenes, and reports to the Governor and General Assembly on a certain date; establishing a certain panel of experts for certain purposes; requiring the President of the Senate and the Speaker of the House of Delegates to appoint a certain number of members to the panel in accordance with certain requirements; requiring the panel to be appointed and convened on or after a certain date; requiring the panel to examine certain scientific literature through a certain date; requiring the panel to report to the Governor and General Assembly on a certain date; defining a certain term; and generally relating to hydraulic fracturing for the exploration or production of oil or natural gas.

BY adding to
Article – Environment
Section 14–107.1
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 644 – Delegates Metzgar, Afzali, Glass, McDonough, Reilly, Simonaire, Szeliga, ~~and West West~~, Hixson, Turner, Kaiser, Luedtke, Walker, D. Barnes, Buckel, Fennell, Hornberger, C. Howard, Long, Patterson, Shoemaker, and Tarlau

AN ACT concerning

**Property Tax Credit – Elderly, Individuals and Veterans, and Returning Residents
~~(Welcome Home, Stay at Home Act)~~**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City and the governing body of a county or municipal corporation to provide a property tax credit against the county or municipal corporation property tax imposed on the dwelling of certain individuals who are elderly, or veterans, ~~or recently returned to the State~~; providing for the amount and duration of the tax credit; authorizing the Mayor and City Council of Baltimore City and the governing body of a county or municipal corporation to provide for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain individuals who are elderly, or veterans, ~~or recently returned to the State~~.

BY adding to

Article – Tax – Property

Section 9–257

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 657 – Delegates Krebs, Pena–Melnik, ~~Krebs~~, Barron, Cullison, and Oaks

AN ACT concerning

Pharmacists – Scope of Practice – ~~Revisions~~ Administration of Drugs

FOR the purpose of authorizing certain pharmacists to administer ~~drugs or biological products~~ a self-administered drug to a patient under certain circumstances in accordance with certain regulations; ~~authorizing certain pharmacists to prescribe certain medications under certain circumstances in accordance with certain protocols and certain regulations~~; defining ~~certain terms~~ a certain term; altering certain definitions; and generally relating to the authority of pharmacists to administer ~~and prescribe medication~~ drugs.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–101(b) and (t)

Annotated Code of Maryland

(2014 Replacement Volume)

BY adding to

Article – Health Occupations
Section ~~12-509 and 12-510~~ 12-101(v-1) and 12-509
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 838 – Delegates Hill, Atterbeary, Barkley, Barron, Carter, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Gaines, Lam, Lisanti, Luedtke, Morales, Oaks, and B. Robinson

AN ACT concerning

Health Insurance – ~~Mandated Benefits – In Vitro Fertilization and Artificial Insemination Procedures~~ Coverage for Infertility Services

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from ~~excluding benefits for certain expenses arising from artificial insemination procedures performed on certain individuals; requiring a policyholder or subscriber, whose expenses for certain in vitro fertilization or artificial insemination procedures are covered under certain benefits, to be married; requiring certain conditions of coverage for certain infertility benefits for a patient who is married to an individual of the same sex; providing that certain provisions of law relating to health insurance coverage of in vitro fertilization do not apply to insurers, nonprofit health service plans, and health maintenance organizations that provide certain benefits under certain health insurance policies or contracts; applying a certain condition of providing benefits for certain expenses arising from in vitro fertilization or artificial insemination procedures only to a patient whose spouse is capable of producing sperm; of the opposite sex; specifying that a history of infertility required as a condition of coverage be involuntary; specifying how the history of involuntary infertility may be demonstrated; requiring certain benefits to be provided when the patient and the patient's spouse are of the same sex; altering the guidelines and standards to which medical facilities performing certain covered procedures must conform; providing that certain insurers, nonprofit health service plans, and health maintenance organizations are not responsible for certain costs; providing that a denial of coverage for certain in vitro fertilization benefits constitutes an adverse decision under a certain provision of law; prohibiting this Act from being construed to require the provision of certain coverage; making certain technical corrections; providing for the application of this Act; and generally relating to ~~mandated health insurance benefits for in vitro fertilization and artificial insemination procedures~~ health insurance coverage for infertility services.~~

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15-810

Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 862 – Delegates Moon, Cullison, Barkley, Carr, Fraser–Hidalgo, Gutierrez, Kaiser, Kelly, Korman, Lam, Luedtke, McIntosh, Morales, Platt, Reznik, S. Robinson, Rosenberg, Smith, Tarlau, M. Washington, and Zucker

AN ACT concerning

Vital Records – New Certificates of Birth – Sex Change or Diagnosis of an Intersex Condition

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, under certain circumstances, to make a new certificate of birth for an individual whose sex has been changed or who has been diagnosed with an intersex condition; requiring that a certain sex designation and, under certain circumstances, a certain name be on the new certificate of birth; prohibiting a new certificate of birth from having certain markings or showing on its face certain changes; ~~altering the circumstances under which a seal on an original certificate of birth and certain records may be broken; altering the circumstances under which a copy of an original certificate of birth may be issued to an individual for whom a new certificate of birth was made under a certain provision of this Act;~~ repealing language rendered obsolete by this Act; making conforming, technical, and clarifying changes; defining a certain term; and generally relating to the issuance of new certificates of birth.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–201, 4–211, and 4–214
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 910 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Polybutylene Connection Pipe Replacement Loan Program
MC/PG 116–15**

FOR the purpose of requiring the Washington Suburban Sanitary Commission to establish a Polybutylene Connection Pipe Replacement Loan Program for replacement of certain pipes on certain property; requiring the Program to provide for certain

eligibility requirements; requiring that the replacement of certain pipes be performed by a licensed plumber; prohibiting the Commission from replacing certain pipes; requiring the Program to require certain customers to repay the loan through a surcharge charge on the customer's water and sewer bill; prohibiting the Commission from setting a surcharge charge greater than an amount that allows the Commission to cover certain costs; providing that a person who acquires property subject to a certain surcharge charge assumes the obligation to pay the surcharge; providing that each loan provided under the Program is a lien against certain property and that the Commission is the sole holder of the lien; prohibiting the Program from providing more than a certain amount in loans; requiring the Commission to finance loans made through the Program through the Commission's general fund establish the Polybutylene Connection Pipe Replacement Fund; specifying the purpose of the Fund; requiring the Commission to administer the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; defining a certain term; providing for the termination of this Act; and generally relating to the Polybutylene Connection Pipe Replacement Loan Program of the Washington Suburban Sanitary Commission.

BY adding to

Article – Public Utilities

Section 23–205

Annotated Code of Maryland

(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 938 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Prince George's County – Maryland–Washington Regional District – Fairness in Zoning MC/PG 112–15

FOR the purpose of providing that, in Prince George's County, the planning board's authority is not exclusive and may be subject to review by the district council under certain circumstances; providing that the district council is not authorized to review certain matters beyond its jurisdiction as provided in a certain article; authorizing the district council in Prince George's County by local law to adopt and amend zoning law procedures for zoning decisions by the planning board and the district council; providing that within the regional district in Prince George's County, certain zoning powers granted to a planning commission or board of appeals under certain provisions shall be construed as vested exclusively in and may be exercised only by the district council; requiring that, in Prince George's County, the zoning hearing examiner shall issue a certain decision not less than a certain time after the date of a certain hearing; altering the circumstances under which a certain person or entity

aggrieved by a certain decision of the district council may request judicial review of any final decision of the district council; repealing the authority of a certain person to request judicial review of a decision of the county planning board; providing that, in Prince George's County, a person may file a request for judicial review to the district council for the review of a decision of a board of appeals to the circuit court zoning hearing examiner or the planning board only under certain circumstances; providing that, in Prince George's County, when the district council is hearing a zoning matter that has been appealed from a zoning hearing examiner, the district council may remand the zoning matter back to the zoning hearing examiner only one time and is required to specify that the zoning hearing examiner take action within a certain time frame after the matter is remanded and relevant information is received from the applicant or the district council; and generally relating to zoning and planning powers in the Maryland–Washington Regional District in Prince George's County.

BY repealing and reenacting, with amendments,

Article – Land Use

Section ~~20-202, 22-104, 22-120, and 22-206~~, 22-407(a)(1), and 23-401

Annotated Code of Maryland

(2012 Volume and 2014 Supplement)

BY adding to

Article – Land Use

Section 25-212 and 25-213

Annotated Code of Maryland

(2012 Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1073 – Delegates Lam, Atterbeary, Carr, Ebersole, Fraser–Hidalgo, Gutierrez, Healey, Hill, Kaiser, Lierman, McComas, Moon, Morales, Morhaim, Platt, B. Robinson, Smith, and Tarlau

AN ACT concerning

Environment – Crude Oil Rail Transport – Risk Assessment and Accident Prevention Study

FOR the purpose of requiring the Department of the Environment ~~and the Department of Health and Mental Hygiene~~ to jointly study the potential risks and impacts to the State in the event of a crude oil spill during rail transport in the State; requiring the Department of the Environment ~~and the Department of Health and Mental Hygiene~~ to establish certain plans as part of the joint study; requiring the Department of the Environment ~~and the Department of Health and Mental Hygiene~~ to jointly report the study's findings and plans to the Governor and General Assembly on or before a certain date; requiring the Department of the Environment to include certain

information in a certain report; providing for the termination of this Act; and generally relating to the transport of crude oil by rail in the State.

Read the first time and referred to the Committee on Finance.

House Bill 1081 – Delegates A. Miller, Afzali, Carr, C. Howard, Jalisi, Kelly, Korman, McMillan, Moon, Pena–Melnik, Platt, Waldstreicher, ~~and C. Wilson~~ C. Wilson, Ebersole, Hornberger, and Tarlau

AN ACT concerning

Education – Orange Ribbon for Healthy School Hours – Establishment

FOR the purpose of establishing the Orange Ribbon for Healthy School Hours certification within the State Department of Education beginning in a certain school year; providing for the purpose of the Orange Ribbon for Healthy School Hours certification; establishing the requirements for a local school system to receive an Orange Ribbon for Healthy School Hours certification; requiring the State Board of Education to establish certain criteria on or before a certain date and provide certain information to certain local school systems on or before a certain date; requiring an Orange Ribbon for Healthy School Hours certification to be renewed each year under certain circumstances; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to the Orange Ribbon for Healthy School Hours certification.

BY adding to

Article – Education

Section 7–121

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1106 – Delegate Morhaim

AN ACT concerning

Public Health – Electronic Advance Directives – Witness Requirements

FOR the purpose of ~~prohibiting a certain witness from being required to be physically present at the time a declarant signs or acknowledges the declarant's signature on an electronic advance directive;~~ providing that an electronic advance directive that is created in compliance with certain protocols satisfies the requirement that certain witnesses sign the advance directive; and generally relating to the witnessing of electronic advance directives.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–602(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1234 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Customer ~~Affordability~~
Assistance Program
MC/PG 107–15**

FOR the purpose of ~~authorizing~~ requiring the Washington Suburban Sanitary Commission to establish a Customer ~~Affordability~~ Assistance Program for a certain purpose on or before a certain date; requiring the Commission to establish certain income eligibility standards for certain ratepayers to receive assistance under the Program; requiring certain income eligibility standards to be applied uniformly throughout the Washington Suburban Sanitary District; providing for the funding of the Program; and generally relating to a Customer ~~Affordability~~ Assistance Program in the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 25–501
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Finance.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 54 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Circuit Court Real Property Records Improvement Fund – Funding

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON RULES REPORT #12

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

House Bill 67 – The Speaker and Delegates Barve, Davis, Hammen, Hixson, McIntosh, ~~and Vallerio~~ Vallario, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnik, Pendergrass, Reznik, Sample–Hughes, West, and K. Young

AN ACT concerning

General Assembly – Mandated Reports by State Agencies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 583)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #48

Senate Bill 269 – Senators Lee, Bates, Guzzone, Kagan, Kelley, King, Madaleno, Montgomery, Nathan–Pulliam, Ramirez, Raskin, Rosapepe, and Simonaire

AN ACT concerning

Domestic Violence – Additional Relief

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 584)

The Bill was then sent to the House of Delegates.

Senate Bill 567 – Senator Gladden

AN ACT concerning

Department of Human Resources – State Child Welfare System – Report

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 585)

The Bill was then sent to the House of Delegates.

Senate Bill 649 – ~~Senator Muse~~ Senators Muse and Ramirez

AN ACT concerning

Real Property – Contract for Sale of New Home

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 586)

The Bill was then sent to the House of Delegates.

Senate Bill 671 – ~~Senators Young, Montgomery, and Rosapepe~~ Rosapepe, Zirkin, Gladden, Brochin, Cassilly, Hough, Lee, Muse, Ramirez, Raskin, and Ready

AN ACT concerning

**Motor Vehicle Administration – Commercial Driver’s License – Program for
Veterans and Service Members
(Troops to Trucks)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 587)

The Bill was then sent to the House of Delegates.

Senate Bill 672 – Senators Young and Nathan–Pulliam

AN ACT concerning

Public and Nonpublic Schools – Student Diabetes Management Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 588)

The Bill was then sent to the House of Delegates.

Senate Bill 695 – Senator Raskin

AN ACT concerning

General Provisions – Public Information Act – Enforcement, Fees, and Exemptions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 589)

The Bill was then sent to the House of Delegates.

Senate Bill 716 – Senators Raskin, Astle, Bates, Benson, Feldman, Klausmeier, Lee, Montgomery, Muse, Norman, and Ready

AN ACT concerning

Motor Vehicles – Checkpoints – Prohibition on Targeting Motorcycles

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 590)

The Bill was then sent to the House of Delegates.

Senate Bill 793 – Senator Middleton**EMERGENCY BILL**

AN ACT concerning

State Personnel – Automatic Step Increases – Standard Pay Plan

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 591)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 5 – Senators Eckardt, Astle, Edwards, Hershey, Jennings, Norman, Ready, ~~and Salling~~ Salling, and Mathias

A Senate Joint Resolution concerning

Natural Resources – Goose and Duck Hunting Seasons – Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 592)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 257 – Senators Pinsky, Conway, Feldman, Ferguson, Guzzone, Kagan, Lee, Madaleno, Manno, Montgomery, Nathan–Pulliam, Ramirez, Raskin, Rosapepe, and Young

AN ACT concerning

Agriculture – Nutrient Management – Phosphorus Management Tool

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Pinsky moved, duly seconded, to recommit the Bill.

The motion was adopted.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 413 – Senators Gladden, Currie, Ferguson, Lee, Madaleno, Manno, Muse, Nathan–Pulliam, Pinsky, and Ramirez

AN ACT concerning

Vehicle Laws – Race–Based Traffic Stops – Policy and Reporting Requirements

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0413/558376/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 413
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “terms;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 6, in line 6, after “2015.” insert “It shall remain effective for a period of 5 years and, at the end of May 31, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 735 – Senator Zirkin

AN ACT concerning

Office of the Public Defender – Eligibility – Requirements

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0735/858274/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 735
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “and the Comptroller”.

AMENDMENT NO. 2

On page 3, in line 1, after “(i)” insert “1.”; in line 2, strike “and the Comptroller”; and after line 3, insert:

“2. THE OFFICE MAY SUBMIT REQUESTS TO THE COMPTROLLER FOR INFORMATION REGARDING THE EMPLOYMENT STATUS AND INCOME OF APPLICANTS.”

The preceding 2 amendments were read and adopted.

Senator Young moved, duly seconded, to make the Bill and Report a Special Order for March 26, 2015.

The motion was adopted.

Senate Bill 756 – Senator Muse

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Foreclosure Relief Act of 2015

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0756/438971/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 756

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “County;” in line 4; in line 5, strike “lender” and substitute “secured party”; in line 6, after “property” insert “located in certain zip codes”; in line 8, after “findings” insert “and recommendations”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 12 through 27, inclusive; and in line 29, strike “mean” and substitute “means”.

AMENDMENT NO. 3

On page 4, in line 1, strike “A” and substitute “In Prince George’s County, a”; in line 2, after “property” insert “located”; and in the same line, strike “Prince George’s County” and substitute “zip codes 20703, 20705, 20706, 20707, 20708, 20710, 20716, 20717, 20720, 20721, 20722, 20735, 20743, 20744, 20745, 20746, 20747, 20748, 20607, 20772, 20774, 20781, 20782, 20783, 20784, and 20785”.

AMENDMENT NO. 4

On page 4, in line 4, before “The” insert “(a)”; in line 5, strike “(a)” and substitute “(1)”; in lines 6, 9, 11, and 13, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively; in line 15, strike “and”; after line 15, insert:

“(2) evaluate the Foreclosure Mediation Program and make recommendations for improvements to the Program to increase the number of foreclosure sales avoided;

(3) conduct a review and accounting of State and federal foreclosure relief funds and make recommendations on harnessing and targeting the funds for mortgage principal reduction in the zip codes listed in Section 2 of this Act; and

(4) determine how many homeowners in the zip codes listed in Section 2 of this Act received mortgage principal reductions.”;

in line 16, strike “on” and substitute “On”; in the same line, strike “July 1, 2016,” and substitute “December 1, 2015, the Office of the Attorney General shall”; in line 17, after “findings” insert “and recommendations”; in lines 17 and 18, strike “of the Attorney General”; and strike beginning with “Section” in line 29 down through “effect.” in line 31.

The preceding 4 amendments were read only.

Senator Zirkin moved, duly seconded, to make the Bill and Amendments a Special Order for March 30, 2015.

The motion was adopted.

INTRODUCTION OF BILLS

Senator Muse moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Muse moved to suspend the rules to allow **Senate Bill 939** to be referred immediately.

The motion was adopted.

Senate Bill 939 – Senator Muse

AN ACT concerning

Prince George’s County – Maintenance of Effort – Property Tax Rate

FOR the purpose of limiting the authority of the governing body of Prince George’s County to set a county property tax rate higher than the rate authorized under the county’s charter for the purpose of funding the approved budget of the Prince George’s County Board of Education; providing for the application of this Act; and generally relating to the property tax and local funding of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–104(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 593)

ADJOURNMENT

At 11:27 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 23, 2015, Calendar Day, Thursday, March 26, 2015.

Annapolis, Maryland
Legislative Day: March 23, 2015
Calendar Day: Thursday, March 26, 2015
10:00 A.M. Session

The Senate met at 10:11 A.M.

Prayer by Reverend Doctor Diane Dixon-Proctor, Lincoln Park United Methodist Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of March 22, 2015 was read and approved.

On motion of Senator Pugh it was ordered that Senator Mathias be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 595)

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #29**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 106 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Illegal Dumping and Litter Control Law – Adoption of
Local Ordinance
MC 11-15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 182 – Delegates Lafferty and Rosenberg

AN ACT concerning

**Housing – Community Development Administration – Residential Mortgage
Loans**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1118 – Delegates C. Wilson, Barron, Morgan, Valderrama, Walker, ~~and A. Washington~~ A. Washington, Hammen, Angel, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Reznik, Sample–Hughes, West, and K. Young K. Young, and Valentino–Smith

EMERGENCY BILL

AN ACT concerning

**General Provisions – Commemorative Days – Welcome Home Vietnam Veterans
Day**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Astle moved, duly seconded, to put **House Bill 1118** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1118** on Third Reading and Final Passage.

House Bill 1118 – Delegates C. Wilson, Barron, Morgan, Valderrama, Walker, ~~and A. Washington~~ A. Washington, Hammen, Angel, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Reznik, Sample–Hughes, West, and K. Young K. Young, and Valentino–Smith

EMERGENCY BILL

AN ACT concerning

General Provisions – Commemorative Days – Welcome Home Vietnam Veterans Day

STATUS OF BILL: BILL ON 3RD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 596)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 481 – Senator Bill Ferguson:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Patterson Park Public Charter School Robotics Team
in recognition of
winning the Maryland State and
Baltimore City VEX robotics championships.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 26th day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 597)

THE COMMITTEE ON FINANCE REPORT #19

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 848 – Senators Hough and Young

AN ACT concerning

Interagency Disabilities Board – Membership and Duties – Community Inclusion Training Oversight

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 869 – Senators Edwards and Serafini

AN ACT concerning

**Health Insurance – Ambulance Service Providers – Direct Reimbursement –
Repeal of Termination Date**

SB0869/277070/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 869

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Serafini” and substitute “, Serafini, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 480 – Senator Brian J. Feldman:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Poolesville High School Girls Swim and Dive Teams
in recognition of

winning the 2015 Maryland State 3A/2A/1A swim and dive championship conducted by Maryland Public Secondary Schools Athletic Association. Your hard work and dedication are to be commended.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 25th day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 598)

Senate Resolution No. 479 – Senator Brian J. Feldman:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Poolesville High School Boys Swim and Dive Teams
in recognition of
winning the 2015 Maryland State 3A/2A/1A swim and dive championship conducted by
Maryland Public Secondary Schools Athletic Association. Your hard work and dedication
are to be commended.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 26th day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 599)

THE COMMITTEE ON BUDGET AND TAXATION REPORT #12

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably
with amendments:

Senate Bill 560 – Senator Peters

AN ACT concerning

**Employees' Pension System – Elected and Appointed Officials – Optional
Membership**

SB0560/509736/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 560

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Elected and Appointed Officials –”; strike beginning with “for” in line 16 down through “officials” in line 17; in line 20, strike “and (b)”; in the same line, strike “31–111.4(a), 31–111.8(a),”; and after line 23, insert:

“BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 23–201(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 6, strike the brackets; in the same line, strike “AND”; in line 15, strike beginning with “EXCEPT” through “SUBTITLE,”; and strike beginning with “WHO” in line 17 down through “ARTICLE” in line 19.

On page 4, in line 16, strike the brackets; and in the same line, strike “AND”.

On page 6, in line 6, strike “receives an annual salary and who”; in line 14, strike “(D)” and substitute “(G)”; in line 15, strike “AND § 23–201(A) OF THIS SUBTITLE”; strike beginning with “PARTICIPATION,” in line 19 down through “ARTICLE” in line 20, and substitute “PARTICIPATION”; strike beginning with “THIS” in line 21 down through “SECTION.” in line 23 and substitute “AN INDIVIDUAL DESCRIBED UNDER PARAGRAPH (1)(I) THROUGH (V) OF THIS SUBSECTION WHO ELECTS TO JOIN THE EMPLOYEES’ PENSION SYSTEM SHALL MAKE THE ELECTION AT COMMENCEMENT OF EMPLOYMENT BY FILING A WRITTEN APPLICATION WITH THE BOARD OF TRUSTEES ON A FORM THAT THE BOARD OF TRUSTEES PROVIDES.”

(3) AN INDIVIDUAL DESCRIBED UNDER PARAGRAPH (1)(VI) OF THIS SUBSECTION WHO ELECTS TO JOIN THE EMPLOYEES’ PENSION SYSTEM SHALL MAKE THE ELECTION PRIOR TO THE EFFECTIVE DATE OF PARTICIPATION BY FILING A WRITTEN APPLICATION WITH THE BOARD OF TRUSTEES ON A FORM THAT THE BOARD OF TRUSTEES PROVIDES.

(4) AN ELECTION TO JOIN THE EMPLOYEES’ PENSION SYSTEM UNDER THIS SUBSECTION IS A ONE–TIME, IRREVOCABLE ELECTION.”.

On pages 6 and 7, strike in their entirety the lines beginning with line 27 on page 6 through line 6 on page 7, inclusive.

On page 7, in line 7, strike “(II)” and substitute “(5)”; in line 9, strike “SUBPARAGRAPH (I)2 OF THIS PARAGRAPH,” and substitute “PARAGRAPH (2) OR (3) OF THIS SUBSECTION,”; strike beginning with “(III)” in line 12 down through “DECISION.” in line 15; and in line 16, strike “(4)” and substitute “(6)”.

On pages 7 and 8, strike in their entirety the lines beginning with line 18 on page 7 through line 8 on page 8, inclusive.

On page 8, in line 9, strike “(3)” and substitute “(B) (1)”; after line 16, insert:

“(2) MEMBERSHIP IN THE EMPLOYEES’ PENSION SYSTEM IS NOT OPTIONAL FOR AN INDIVIDUAL WHO WAS EMPLOYED IN A POSITION ON OR BEFORE JUNE 30, 2015, THAT REQUIRED THE INDIVIDUAL TO BE A MEMBER OF THE EMPLOYEES’ PENSION SYSTEM, WHILE THE INDIVIDUAL REMAINS IN THAT POSITION.”;

in line 17, strike “] (B)”; in line 25, strike beginning with “file” through “Agency” and substitute “MAKE THE ELECTION AT COMMENCEMENT OF EMPLOYMENT BY FILING A WRITTEN APPLICATION WITH THE BOARD OF TRUSTEES ON A FORM THAT THE BOARD OF TRUSTEES PROVIDES”; in line 29, strike the brackets; and in the same line, strike “(C)”.

On page 9, in line 6, strike the bracket; in line 21, strike the bracket; in line 22, strike the brackets; and in the same line, strike “(D)”.

On page 10, strike beginning with “make” in line 2 down through “employment” in line 4 and substitute “MAKE THE ELECTION AT COMMENCEMENT OF EMPLOYMENT BY FILING A WRITTEN APPLICATION WITH THE BOARD OF TRUSTEES ON A FORM THAT THE BOARD OF TRUSTEES PROVIDES”.

On page 11, strike in their entirety lines 3 through 16, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 913 – Washington County Senators

AN ACT concerning

Washington County – Tax Increment Financing – Application of Bond Proceeds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 923 – Washington County Senators

AN ACT concerning

Washington County – Property Tax Credit – Disabled Veterans

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 925 – Washington County Senators

AN ACT concerning

Washington County – Property Tax Credit – Economic Development Projects

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 928 – Senator Mathias

AN ACT concerning

**Somerset County Sanitary Commission – Enforcement of Liens – Tax Sale
Authorization**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #15

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 419 – Senator Lee

AN ACT concerning

Estates and Trusts – Maryland Trust Act – Incapacity

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 705 – Senators Montgomery, Cassilly, Klausmeier, and Mathias

AN ACT concerning

Criminal Law – Assault – First Responders

SB0705/848878/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 705

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Mathias” and substitute “Mathias, Peters, Astle, Benson, Currie, Feldman, Guzzone, Jennings, Kagan, King, Madaleno, Manno, McFadden, Rosapepe, Zirkin, Brochin, Lee, Muse, Norman, Ramirez, Raskin, and Ready”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 721 – Senators Ready, Hough, and Bates

AN ACT concerning

Carroll County – Correctional Officers’ Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 831 – Baltimore County Senators (By Request – Baltimore County Orphans’ Court)

AN ACT concerning

Baltimore County – Orphans’ Court Judges – Compensation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MOTION

Senator Raskin moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #7

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Jamie Raskin
Chair

Senate Executive Nominations Committee
Report #7
March 26, 2015

Amusement Ride Safety Advisory Board, State

1. Michael H. Jones District 38
25 Willow Way
Berlin, MD 21811

Member of the State Amusement Ride Safety Advisory Board; reappointed to serve a term of four years from July 1, 2014

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

2. Curtis L. Beulah District 34
3218 Trellis Lane
Abingdon, MD 21009

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2014

3. Worrall Reed Carter, III District 36
14272 Draper's Mill Road
Greensboro, MD 21639

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2014

4. Charles C. Deegan District 21
4316 Knott Street
Beltsville, MD 20705

Chair of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve at the pleasure of the Governor

5. Michael Hewitt District 29
26074 Sotterley Heights Road
Hollywood, MD 20636

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2015

6. David S. Marks District 8
49 Chesthill Court
Baltimore, MD 21236

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2014

7. Theo Ngongang District 43
4100 Westview Road
Baltimore, MD 21218

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2015

8. Patrick H. Nutter District 27
7110 Bluegrass Way
Owings, MD 20736

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2015

9. Steven C. Parker District 36
74 Center Road
Earleville, MD 21919

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2014

10. Suzanne Pittenger–Slear District 37
100 Mill Street
Cambridge, MD 21613

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2015

11. Jennifer Rafter District 38
913 Market Street
Pocomoke City, MD 21851

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2014

Chiropractic and Massage Therapy Examiners, State Board of

12. Kindra J. Ingram, D.C. District 14
17013 Oak Hill Road
Spencerville, MD 20868

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve a term of four years from July 1, 2015

Economic Development Commission, Maryland

13. Howard B. Bowen District 2
9651 Old National Pike
Hagerstown, MD 21740

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2014

Economic Development Corporation Board of Directors, Maryland

14. Robert E. Warfield, Sr. District 38
10481 Golf Course Road
Ocean City, MD 21842

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2014

Historic St. Mary's City Commission

15. James M. Desmond District 16
5234 Duvall Drive
Bethesda, MD 20816

Member of the Historic St. Mary's City Commission; appointed to serve remainder of a term of four years from July 1, 2011 and a term of four years from July 1, 2015

Racing Commission, State

16. David Hayden District 5
16123 Dark Hollow Road, P.O.Box 68
Upperco, MD 21155

Member of the State Racing Commission; reappointed to serve a term of four years from July 1, 2014

Seafood Marketing Advisory Commission

17. Nicholas Crook District 36
108 Rock Lane
Stevensville, MD 21666

Member of the Seafood Marketing Advisory Commission; appointed to serve a term of four years from July 1, 2013

18. Jordan T. Todd District 37
6 Maple Avenue
Cambridge, MD 21613

Member of the Seafood Marketing Advisory Commission; appointed to serve a term of four years from July 1, 2013

Social Work Examiners, State Board of

19. Joyce A. Bell District 38
10740 Jones Creek Circle
Princess Anne, MD 21853

Member of the State Board of Social Work Examiners; reappointed to serve a term of four years from July 1, 2014

20. Aimee E. Williams District 30
410 Colonial Ridge Lane
Arnold, MD 21012

Member of the State Board of Social Work Examiners; appointed to serve a term of four years from July 1, 2015

St. Mary's College of Maryland, Board of Trustees

21. Arthur A. Birney, Jr. District 33
848 Coach Way
Annapolis, MD 21401

Member of the Board of Trustees of St. Mary's College of Maryland; reappointed to serve a term of six years from June 1, 2015

Technology Development Corporation Board of Directors, Maryland

22. Paul D. Ausley District 29
P.O. Box 269
Piney Point, MD 20674

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2014

23. John C. Brandenburg District 7
3713 Meadowhill Court
Phoenix, MD 21131

Member of the Maryland Technology Development Corporation Board of Directors;
appointed to serve a term of four years from July 1, 2012

24. Luke T. Cooper District 43
207 Chancery Road
Baltimore, MD 21218

Member of the Maryland Technology Development Corporation Board of Directors;
appointed to serve remainder of a term of four years from July 1, 2011 and a term of
four years from July 1, 2015

25. Murray K. Hoy, Ed.D. District 37
3589 Union Church Road
Salisbury, MD 21804

Member of the Maryland Technology Development Corporation Board of Directors;
appointed to serve a term of four years from July 1, 2014

26. Mathew Lee District 17
732B Main Street
Gaithersburg, MD 20878

Member of the Maryland Technology Development Corporation Board of Directors;
appointed to serve a term of four years from July 1, 2015

27. Martin Roesch District 9
4853 Castlebridge Road
Ellicott City, MD 21042

Member of the Maryland Technology Development Corporation Board of Directors;
appointed to serve a term of four years from July 1, 2012

28. John L. Shetrone, Jr. District 31
341 Eagle Hill Road
Pasadena, MD 21122

Member of the Maryland Technology Development Corporation Board of Directors;
appointed to serve a term of four years from July 1, 2013

29. Amita Shukla District 16
7111 Woodmont Avenue, #503
Bethesda, MD 20815

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2013

30. Francis X. Smyth District 11
12218 Cleghorn Road
Cockeysville, MD 21030

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2014

Transportation Authority, Maryland

31. W. Lee Gaines, Jr. District 42
6 Bowen Mill Road
Baltimore, MD 21212

Member of the Maryland Transportation Authority; appointed to serve remainder of a term of four years from July 1, 2012

Veterans' Home Commission, Maryland

32. Gloria J. Larman District 27
8037 Forest Ridge Drive
Chesapeake Beach, MD 20732

Member of the Maryland Veterans' Home Commission; appointed to serve remainder of a term of five years from July 1, 2013

Workers' Compensation Commission, State

33. Kathleen A. Evans, Esq. District 33
3506 Victoria Lane
Davidsonville, MD 21035

Member of the State Workers' Compensation Commission; appointed to serve a term of twelve years from February 1, 2015

Youth Camp Safety, Advisory Council on

34. Patricia L. Blankinship District 30
5305 Beauvoir Court
West River, MD 20778

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2015

35. Gabriel Houghton District 36
309 Chesterfield Avenue
Centreville, MD 21617

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2015

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

- S-1. Carolyn Cummins District 38
9628 Oceanview Lane
Ocean City, MD 21842

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2014

- S-2. James Gesl, D.D.S. District 28
11230 Keokee Court
Issue, MD 20645

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2015

- S-3. Mark M. Konapelsky District 38
19 Wynfall Avenue
Crisfield, MD 21817

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2015

Seafood Marketing Advisory Commission

- S-4. Jody Kelly Wright District 38
9702 Shady Grove Court
Ocean City, MD 21842

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2014

Social Work Examiners, State Board of

- S-5. Denise A. Capaci District 28
2306 Watertrumpet Court
Waldorf, MD 20603

Member of the State Board of Social Work Examiners; reappointed to serve a term of four years from July 1, 2015

Subsequent Injury Fund Board

- S-6. Margareta A. Crampton District 99
1222 N. Lincoln Street
Arlington, VA 22201

Member of the Subsequent Injury Fund Board; reappointed to serve a term of four years from July 1, 2015

- S-7. Valerie E. Fraling District 10
9800 Mendoza Road
Randallstown, MD 21133

Member of the Subsequent Injury Fund Board; reappointed to serve a term of four years from July 1, 2015

- S-8. R. Dennis German District 41
6-A Cross Keys Road
Baltimore, MD 21210

Member of the Subsequent Injury Fund Board; reappointed to serve a term of four years from July 1, 2015

Technology Development Corporation Board of Directors, Maryland

- S–9. Newton B. Fowler, III District 43
329 Tunbridge Road
Baltimore, MD 21212

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2014

- S–10. C. Warren Mullins District 35
205 Bodington Court
Bel Air, MD 21014

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2014

Veterans' Home Commission, Maryland

- S–11. Gordon B. Browning, Ed.D. District 36
414 Bill Avenue
Chestertown, MD 21620

Member of the Maryland Veterans' Home Commission; reappointed to serve a term of five years from July 1, 2014

- S–12. Glynn Ellsworth Parker District 26
1520 Birchwood Drive
Oxon Hill, MD 20745

Member of the Maryland Veterans' Home Commission; reappointed to serve a term of five years from July 1, 2014

Veterinary Medical Examiners, State Board of

- S–13. Heather M. Hendler, V.M.D. District 44
29 Briarwood Road
Catonsville, MD 21228

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2015

Youth Camp Safety, Advisory Council on

S-14. William H. Morgan District 46
20 S. Potomac Street
Baltimore, MD 21224

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2015

S-15. Amanda M. Wahle District 31
603 Warbler Walk
Glen Burnie, MD 21060

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2015

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Anne Arundel Community College Board of Trustees

L-1. Kimberly McCoy Burns, Esq. District 32
201 Homewood Road
Linthicum, MD 21090

Member of the Anne Arundel Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2015

L-2. Diane R. Dixon-Proctor District 31
127 Foxtrap Drive
Glen Burnie, MD 21061

Member of the Anne Arundel Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2014

L-3. Matthew F. Hortopan District 33
1811 Crosspointe Drive
Annapolis, MD 21401

Member of the Anne Arundel Community College Board of Trustees; appointed to serve a term of one year from July 1, 2015

Hagerstown Community College Board of Trustees

- L-4. Austin S. Abraham District 2
11800 Indian Lane
Hagerstown, MD 21742

Member of the Hagerstown Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2014

Harford County Board of Elections

- L-5. William G. Christoforo District 34
103 Roland Place
Bel Air, MD 21014

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 1, 2015

- L-6. Jeffery P. McBride District 7
1319 Stockton Road
Joppa, MD 21085

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 1, 2015

- L-7. Allison W. McCord District 35
1204 Basil Court
Bel Air, MD 21014

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 1, 2015

- L-8. Maureen O. Neal District 7
2517 Putnam Road
Forest Hill, MD 21050

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 1, 2015

- L-9. Benjamin Daniel Riley District 34
2120 Old Edgewood Road
Edgewood, MD 21040

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 1, 2015

Howard Community College Board of Trustees

L-10. M. Courtney Watson District 9
11436 Butterfruit Way
Ellicott City, MD 21042

Member of the Howard Community College Board of Trustees; appointed to serve remainder of a term of six years from July 1, 2009 and a term of six years from July 1, 2015

Howard County Board of Elections

L-11. Diane Butler District 12
4056 St. Johns Lane
Ellicott City, MD 21042

Member of the Howard County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-12. Patrick R. Mullinix District 9
16525 AE Mullinix Road
Woodbine, MD 21797

Member of the Howard County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-13. Donna K. Thewes District 13
9535 Cissel Avenue
Laurel, MD 20723

Member of the Howard County Board of Elections; appointed to serve a term of four years from June 1, 2015

Kent County Board of Elections

L-14. Paul M. Showalter District 36
126 N. Queen Street
Chestertown, MD 21620

Member of the Kent County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–15. Lisa Thompson District 36
11030 Kristin Way
Worton, MD 21678

Member of the Kent County Board of Elections; appointed to serve a term of four years from June 1, 2015

Montgomery County Board of Elections

L–16. Mary Ann Keefe District 16
5801 Nicholson Lane, Apt. 834
N. Bethesda, MD 20852

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–17. Nahid Khozeimeh District 16
7005 Millwood Road
Bethesda, MD 20817

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–18. David A. Naimon, Esq. District 16
7017 Wolfree Lane
Rockville, MD 20852

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–19. Jacqueline L. Phillips District 18
7900 Glendale Road
Chevy Chase, MD 20815

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–20. Graciela Rivera–Oven District 39
21210 Blunt Road
Germantown, MD 20876

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-21. James F. Shalleck, Esq. District 39
9408 Bethany Place
Montgomery Village, MD 20886

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-22. Alexander C. Vincent District 16
6407 Earlham Drive
Bethesda, MD 20817

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 1, 2015

Prince George's County Board of Elections

L-23. Roberta B. Deegan District 21
4316 Knott Street
Beltsville, MD 20705

Member of the Prince George's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-24. Clement A. Gaynor, Jr. District 26
707 Kings Lane
Fort Washington, MD 20744

Member of the Prince George's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-25. Lester W. Jones District 26
11605 Hickory Drive
Fort Washington, MD 20744

Member of the Prince George's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-26. John E. Rowe District 26
403 Oxen Careybrook Lane
Oxon Hill, MD 20745

Member of the Prince George's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–27. Thomas J. Slezak District 22
3433 Stanford Street
Hyattsville, MD 20783

Member of the Prince George’s County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–28. Beatrice P. Tignor, Ed.D. District 25
14201 Water Fowl Way
Upper Marlboro, MD 20744

Member of the Prince George’s County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–29. Olivia Vaughns District 24
1200 Fiji Avenue
Highland Park, MD 20785

Member of the Prince George’s County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–30. Jaime J. Vazquez–Saldana District 21
7301 Radcliffe Drive
College Park, MD 20740

Member of the Prince George’s County Board of Elections; appointed to serve a term of four years from June 1, 2015

Queen Anne’s County Board of Elections

L–31. Juanita L. Carter District 36
304 Walnut Street
Church Hill, MD 21623

Member of the Queen Anne’s County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–32. William A. Seth District 36
99 Glendale
Centreville, MD 21617

Member of the Queen Anne’s County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-33. Mary Jane G. Sparks District 36
1731 Harbor Drive
Chester, MD 21619

Member of the Queen Anne's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-34. David W. Stevens District 36
218 Holly Lane
Grasonville, MD 21638

Member of the Queen Anne's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-35. William E. Stoops District 36
725 Church Hill Road
Centreville, MD 21617

Member of the Queen Anne's County Board of Elections; appointed to serve a term of four years from June 1, 2015

Somerset County Board of Elections

L-36. Richard Barnhart District 38
24350 Hideaway Lane
Deal Island, MD 21821

Member of the Somerset County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-37. Mary L.T. Handy District 38
28152 Holland Crossing Road
Marion Station, MD 21838

Member of the Somerset County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-38. Jackie L. Mills District 38
5099 Annemessex Road
Crisfield, MD 21817

Member of the Somerset County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-39. James W. Riley, Sr. District 38
26701 Old State Road
Crisfield, MD 21817

Member of the Somerset County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-40. Cindy C. Todd District 38
26368 Mariners Road
Crisfield, MD 21817

Member of the Somerset County Board of Elections; appointed to serve a term of four years from June 1, 2015

St. Mary's County Board of Elections

L-41. Kenneth F. Boothe District 29
46138 Boothe Farm Lane, P.O. Box 62
Great Mills, MD 20634

Member of the St. Mary's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-42. Rose V. Frederick District 29
P.O. Box 22
Loveville, MD 20656

Member of the St. Mary's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-43. Adelaide T. McBride District 29
18030 Orchard Way, P.O. Box 72
St. Inigoes, MD 20684

Member of the St. Mary's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-44. Rebecca Jo Wathen District 29
14681 Point Lookout Road, P.O. Box 67
St. Inigoes, MD 20684

Member of the St. Mary's County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-45. Noel Temple (Tim) Wood
44478 Whitestone Place
Tall Timbers, MD 20690

District 29

Member of the St. Mary's County Board of Elections; appointed to serve a term of four years from June 1, 2015

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 600)

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 735 – Senator Zirkin

AN ACT concerning

Office of the Public Defender – Eligibility – Requirements

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 601)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #49

Senate Bill 413 – Senators Gladden, Currie, Ferguson, Lee, Madaleno, Manno, Muse, Nathan–Pulliam, Pinsky, and Ramirez

AN ACT concerning

Vehicle Laws – Race–Based Traffic Stops – Policy and Reporting Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 36 Negative – 10 (See Roll Call No. 602)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #1

House Bill 67 – The Speaker and Delegates Barve, Davis, Hammen, Hixson, McIntosh, ~~and Vallario~~ Vallario, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Reznik, Sample–Hughes, West, and K. Young

AN ACT concerning

General Assembly – Mandated Reports by State Agencies

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 603)

The Bill was then sent to the House of Delegates.

House Bill 70 – The Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2016)

FLOOR AMENDMENT

HB0070/763720/1

BY: Senator Ready

AMENDMENT TO HOUSE BILL 70, AS AMENDED

(Third Reading File Bill – Committee Reprint)

On page 116, under:

Heading: HEADQUARTERS

Program: R00A01.04

Entitled: Division of Accountability and Assessment

In line 39, after “committees.” insert “Further provided that \$34,000,000 of this appropriation made for the purpose of State assessments may not be expended until the Maryland State Department of Education provides the budget committees with a proposed plan for providing parents with the option of opting their students out of the Partnership for Assessment of Readiness for College and Careers Consortium (PARCC) and associated PARCC tests. The proposed plan shall be submitted by September 15, 2015, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 31 (See Roll Call No. 604)

FLOOR AMENDMENT

HB0070/783226/1

BY: Senator Reilly

AMENDMENT TO HOUSE BILL 70

(Third Reading File Bill – Committee Reprint)

On pages 86 and 87, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.03

Entitled: Medical Care Provider Reimbursements

Strike beginning with “; or” in line 27 on page 86 down through “health” in line 5 on page 87.

On pages 88 and 89, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.07

Entitled: Maryland Children’s Health Program

Strike beginning with “; or” in line 29 on page 88 down through “health” in line 7 on page 89.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 28 (See Roll Call No. 605)

FLOOR AMENDMENT

HB0070/253123/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 70, AS AMENDED

(Third Reading File Bill – Committee Reprint)

On page 66, under:

Heading: BOATING SERVICES

Program: K00A11.02

Entitled: Waterway Improvement Capital Projects

In lines 5 through 17, strike beginning with “, *provided*” in line 5 down through “*anceled*” in line 17, and substitute “, provided that it is the intent of the General Assembly that the Department of Natural Resources consider dredging projects at Deep Creek Lake in its list of priorities”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 2 Negative – 42 (See Roll Call No. 606)

FLOOR AMENDMENT

HB0070/753028/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 70, AS AMENDED

(Third Reading File Bill – Committee Reprint)

On page 66, under:

Heading: BOATING SERVICES

Program: K00A11.02

Entitled: Waterway Improvement Capital Projects

In Committee Amendment No. 14, in line 17, after “*canceled*” insert “. Further provided that \$284,625 of this appropriation made for the purpose of Waterway Improvement Program capital projects may not be expended for waterway improvement projects submitted by the Administration but may be used only for the purpose of dredging the Upper Magothy. Funds not used for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled”.

The preceding amendment was read and rejected.

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 607)

The Bill was then sent to the House of Delegates.

House Bill 72 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2015

FLOOR AMENDMENT

HB0072/583024/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 72
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 35, strike “certain requirements for certain fiscal years” and substitute “a certain requirement for a certain fiscal year”; and in line 36, strike “certain supplemental contributions” and substitute “a certain supplemental contribution”.

AMENDMENT NO. 2

On page 50, in line 7, before “For” insert “1.”; in line 10, strike “(II)” and substitute “2.”; strike beginning with “AND” in line 10 down through “THEREAFTER” in line 11; in line 13, in each instance, strike the bracket; in the same line, strike “\$75,000,000”; in lines 14 and 17, strike “5.” and “6.”, respectively, and substitute “3.” and “4.”, respectively; in line 20, strike the first bracket; and in lines 26 and 30, in each instance, strike the bracket.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 31 (See Roll Call No. 608)

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 609)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senator Conway moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Conway moved to suspend the rules to allow **Senate Bill 940** to be referred immediately.

The motion was adopted.

Senate Bill 940 – Senator Conway

EMERGENCY BILL

AN ACT concerning

Residential Child Care Programs – Statement of Need – Exception for Relocation

FOR the purpose of creating an exception to a certain statement of need requirement for the relocation of an existing licensed residential child care program under certain circumstances; making this Act an emergency measure; and generally relating to statements of need for residential child care programs in the State.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 8–703.1
Annotated Code of Maryland
(2007 Volume and 2014 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

RECONSIDERATION

Senator Conway moved, duly seconded, to reconsider the vote by which **House Bill 67** passed Third Reading.

The motion was adopted.

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

House Bill 67 – The Speaker and Delegates Barve, Davis, Hammen, Hixson, McIntosh, ~~and Vallario~~ Vallario, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Reznik, Sample–Hughes, West, and K. Young

AN ACT concerning

General Assembly – Mandated Reports by State Agencies

FLOOR AMENDMENT

HB0067/183325/1

BY: Senator Klausmeier

AMENDMENT TO HOUSE BILL 67

(Third Reading File Bill)

On page 10, in line 31, after “(g)” insert “[**The**]”; and in the same line, strike “**YEAR** the” and substitute “**YEAR, THE**”.

The preceding amendment was read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 610)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 611)

ADJOURNMENT

At 12:02 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:30 A.M. on Legislative Day March 24, 2015, Calendar Day, Friday, March 27, 2015.

Annapolis, Maryland
Legislative Day: March 24, 2015
Calendar Day: Friday, March 27, 2015
10:30 A.M. Session

The Senate met at 10:41 A.M.

Prayer by Reverend Karen Bunnell, Elkton United Methodist Church, guest of Senator Hershey.

(See Exhibit A of Appendix III)

The Journal of March 23, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 613)

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #28**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 843 – Senators Waugh, Astle, Bates, Brochin, Cassilly, DeGrange, Eckardt, Edwards, Hershey, Hough, Jennings, Kagan, King, Klausmeier, Manno, Mathias, Montgomery, Norman, Peters, Pugh, Ramirez, Raskin, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Young

AN ACT concerning

Higher Education – Military Dependents – In-State Tuition

SB0843/584639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 843
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety; after line 2, insert:

“University System of Maryland – Members of the Armed Forces – Financial Aid”;

strike beginning with “exempting” in line 3 down through “forces” in line 6 and substitute “establishing the Return to Maryland Program; providing for the purpose of the Program; providing that certain eligible students are exempt from paying the nonresident tuition rate at constituent institutions of the University System of Maryland; providing that the Program is limited to a certain number of students; requiring the University System of Maryland to administer the Program; requiring the University System of Maryland to submit a certain report to the General Assembly on or before a certain date; and generally relating to financial aid for members of the armed forces”; strike in their entirety lines 7 through 11, inclusive; and after line 11, insert:

“BY adding to

Article – Education

Section 15–106.9

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 15 on page 1 through line 20 on page 3, inclusive, and substitute:

“15–106.9.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CONSTITUENT INSTITUTION” HAS THE MEANING STATED IN § 12–101 OF THIS ARTICLE.

(3) “ELIGIBLE STUDENT” MEANS AN INDIVIDUAL WHO:

(I) IS A FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES OR AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES ARMED FORCES;

(II) WAS ENROLLED IN A PUBLIC OR NONPUBLIC HIGH SCHOOL IN THE STATE FOR AT LEAST 1 YEAR DURING THE 3 YEARS IMMEDIATELY BEFORE SEEKING ENROLLMENT IN A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND; AND

(III) WAS A RESIDENT OF OR DOMICILED IN THE STATE WHILE ENROLLED IN A PUBLIC OR NONPUBLIC HIGH SCHOOL IN THE STATE.

(4) "PROGRAM" MEANS THE RETURN TO MARYLAND PROGRAM.

(B) THERE IS A RETURN TO MARYLAND PROGRAM IN THE STATE.

(C) THE PURPOSE OF THE PROGRAM IS TO ENCOURAGE AND ASSIST ELIGIBLE STUDENTS WHO ONCE LIVED IN MARYLAND TO RETURN TO THE STATE AND ATTEND A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND.

(D) AN ELIGIBLE STUDENT IS EXEMPT FROM PAYING THE NONRESIDENT TUITION RATE AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND.

(E) THE PROGRAM SHALL BE LIMITED TO 100 ELIGIBLE STUDENTS.

(F) THE UNIVERSITY SYSTEM OF MARYLAND SHALL ADMINISTER THE PROGRAM.

SECTION 2. AND BE IT FURTHER ENACTED, That on or before June 30, 2017, and June 30, 2018, the University System of Maryland shall submit a report, in accordance with § 2–1246 of the State Government Article, to the General Assembly regarding:

(1) how many individuals applied to the Return to Maryland Program established in accordance with § 15–106.9 of the Education Article; and

(2) how many individuals received awards under the Program.”;

and in line 21, strike “2.” and substitute “3.”.

The preceding 2 amendments were read only.

Senator King moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #30

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 346 – Senators Pugh, Middleton, Bates, Klausmeier, Madaleno, Montgomery, Nathan–Pulliam, Salling, Waugh, and Young

AN ACT concerning

Pharmacists – Scope of Practice – Revisions

SB0346/184032/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 346

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Revisions” and substitute “Administration of Drugs”; in lines 3 and 4, strike “drugs or biological products” and substitute “a self-administered drug to a patient”; strike beginning with “authorizing” in line 5 down through “regulations;” in line 6; in line 7, strike “certain terms” and substitute “a certain term”; in line 8, strike “and prescribe medication” and substitute “drugs”; and in line 16, strike “12–509 and 12–510” and substitute “12–101(v–1) and 12–509”.

AMENDMENT NO. 2

On page 2, in line 1, strike “(1)”; in line 2, strike “certified nurse midwife to the extent permitted”; strike line 3 in its entirety and substitute “ADVANCED PRACTICE”

NURSE WITH PRESCRIPTIVE AUTHORITY UNDER § 8-508 OF"; strike in their entirety lines 6 and 7; in line 23, strike "OTHER DRUGS AND BIOLOGICAL PRODUCTS" and substitute "SELF-ADMINISTERED DRUGS"; and in line 30, strike the brackets.

On pages 2 and 3, strike beginning with the semicolon in line 32 on page 2 through "TITLE" in line 2 on page 3.

On page 3, after line 4, insert:

(v-1) (1) "SELF-ADMINISTERED DRUG" MEANS A DRUG THAT IS REGULARLY ADMINISTERED BY THE PATIENT FOR WHOM THE DRUG IS PRESCRIBED OR BY AN INDIVIDUAL WHO IS NOT OTHERWISE AUTHORIZED TO ADMINISTER DRUGS UNDER THIS ARTICLE.

(2) "SELF-ADMINISTERED DRUG" INCLUDES:

(i) EYEDROPS; AND

(ii) A DRUG THAT IS ADMINISTERED BY AN INTRAMUSCULAR INJECTION OR A SUBCUTANEOUS INJECTION.";

in line 7, after "PHARMACIST" insert ", IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD,"; in lines 7 and 8, strike "DRUG OR BIOLOGICAL PRODUCT" and substitute "SELF-ADMINISTERED DRUG TO A PATIENT"; and strike beginning with "IN" in line 8 down through "BOARD" in line 9.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 10 through 16, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 622 – Senators Currie, King, Montgomery, Ramirez, and Rosapepe

AN ACT concerning

Education – English Language Learner Liaison Pilot Program

SB0622/424531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 622

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, and Benson”; in line 5, after the first “in” insert “a”; and in the same line, strike “systems” and substitute “system”.

AMENDMENT NO. 2

On page 1, strike beginning with “**MONTGOMERY**” in line 22 down through “**AND**” in line 23.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 812 – Senator Reilly

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Craft Distillery License

SB0812/974636/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 812

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Craft” and substitute “Limited”; in line 3, strike “craft” and substitute “limited”; and in line 7, after “distilling” insert “, rectifying.”.

AMENDMENT NO. 2

On page 2, in line 13, strike “CRAFT” and substitute “LIMITED”; in line 23, after “DISTILLING” insert “, RECTIFYING.”; in line 27, after “DISTILLED” insert “, RECTIFIED.”; and in line 28, after “MANUFACTURE” insert “OR RECTIFY”.

On page 2 in lines 15 and 21, on page 3 in lines 3, 5, 9, 12, 20, 21, and 25, and on page 4 in lines 1, 5, and 8, in each instance, strike “CRAFT” and substitute “LIMITED”.

On page 3, in line 27, after “DISTILL” insert “, RECTIFY, BOTTLE, OR SELL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 854 – Senators Young, Mathias, and Montgomery

AN ACT concerning

State Government – Administrative Procedure Act – Effective Date of Adopted Regulations

SB0854/784139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 854

(First Reading File Bill)

On page 2, in line 26, strike “OR”; after line 26, insert:

“8. THE REGULATION IS ADOPTED BY THE DEPARTMENT OF BUDGET AND MANAGEMENT; OR”;

and in line 27, strike “8.” and substitute “9.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 614)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #50

Senate Bill 419 – Senator Lee

AN ACT concerning

Estates and Trusts – Maryland Trust Act – Incapacity

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 615)

The Bill was then sent to the House of Delegates.

Senate Bill 560 – Senator Peters

AN ACT concerning

Employees’ Pension System – ~~Elected and Appointed Officials~~ – Optional Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 616)

The Bill was then sent to the House of Delegates.

**Senate Bill 705 – Senators Montgomery, Cassilly, Klausmeier, ~~and Mathias~~
Mathias, Peters, Astle, Benson, Currie, Feldman, Guzzone, Jennings,
Kagan, King, Madaleno, Manno, McFadden, Rosapepe, Zirkin, Brochin, Lee,
Muse, Norman, Ramirez, Raskin, and Ready**

AN ACT concerning

Criminal Law – Assault – First Responders

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 617)

The Bill was then sent to the House of Delegates.

Senate Bill 721 – Senators Ready, Hough, and Bates

AN ACT concerning

Carroll County – Correctional Officers’ Bill of Rights

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 618)

The Bill was then sent to the House of Delegates.

Senate Bill 735 – Senator Zirkin

AN ACT concerning

Office of the Public Defender – Eligibility – Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 619)

The Bill was then sent to the House of Delegates.

**Senate Bill 831 – Baltimore County Senators (By Request – Baltimore County
Orphans’ Court)**

AN ACT concerning

Baltimore County – Orphans’ Court Judges – Compensation

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 620)

The Bill was then sent to the House of Delegates.

Senate Bill 848 – Senators Hough and Young

AN ACT concerning

**Interagency Disabilities Board – Membership and Duties – Community
Inclusion Training Oversight**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 621)

The Bill was then sent to the House of Delegates.

**Senate Bill 869 – Senators ~~Edwards and Serafini~~, Serafini, Astle, Benson,
Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton,
Pugh, and Reilly**

AN ACT concerning

**Health Insurance – Ambulance Service Providers – Direct Reimbursement –
Repeal of Termination Date**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 622)

The Bill was then sent to the House of Delegates.

Senate Bill 913 – Washington County Senators

AN ACT concerning

Washington County – Tax Increment Financing – Application of Bond Proceeds

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 623)

The Bill was then sent to the House of Delegates.

Senate Bill 923 – Washington County Senators

AN ACT concerning

Washington County – Property Tax Credit – Disabled Veterans

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 624)

The Bill was then sent to the House of Delegates.

Senate Bill 925 – Washington County Senators

AN ACT concerning

Washington County – Property Tax Credit – Economic Development Projects

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 625)

The Bill was then sent to the House of Delegates.

Senate Bill 928 – Senator Mathias

AN ACT concerning

**Somerset County Sanitary Commission – Enforcement of Liens – Tax Sale
Authorization**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 626)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #2

House Bill 106 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Illegal Dumping and Litter Control Law – Adoption of
Local Ordinance
MC 11-15**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 627)

The Bill was then sent to the House of Delegates.

House Bill 182 – Delegates Lafferty and Rosenberg

AN ACT concerning

**Housing – Community Development Administration – Residential Mortgage
Loans**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 628)

The Bill was then sent to the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #31**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 14 – ~~Delegate O'Donnell~~ Delegates O'Donnell and S. Howard

AN ACT concerning

Hunting Licenses – Exemption for Retired Members of the Armed Forces

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #20

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 870 – Senator Edwards

AN ACT concerning

Garrett County – Memorial Hospital – Board of Governors

SB0870/787975/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 870

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “imposing term limits on” and substitute “removing the ex officio status of”; and in line 4, after “Hospital,” insert “imposing limits on the number of consecutive terms certain members of the Board of Governors may serve;”.

AMENDMENT NO. 2

On page 2, in line 20, strike “, as ex officio members,”; in line 26, after “(3)” insert “(A)”; in lines 27 and 29, in each instance, before “TERMS” insert “CONSECUTIVE”; after line 27, insert:

“(B) A MEDICAL STAFF MEMBER WHO HAS SERVED TWO CONSECUTIVE 2-YEAR TERMS MAY NOT BE ELECTED TO THE BOARD UNTIL AT LEAST 2 YEARS HAVE ELAPSED SINCE THE END OF THE MEMBER’S LAST TERM ON THE BOARD.”;

in line 28, after “(4)” insert “(A)”; and after line 30, insert:

“(B) AN AT-LARGE MEMBER WHO HAS SERVED FOUR CONSECUTIVE TERMS MAY NOT BE ELECTED TO THE BOARD UNTIL AT LEAST 2 YEARS HAVE ELAPSED SINCE THE END OF THE MEMBER’S LAST TERM ON THE BOARD.”.

On page 3, in lines 16 and 17, strike “, serving as ex officio members of the Board of Governors”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #21

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 939 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Arentz, Aumann, Barkley, Barron, Branch, Brooks, Carey, Clippinger, Cullison, Fisher, Frick, Glenn, Hammen, Hayes, Hill, S. Howard, Jameson, Kelly, Kipke, Kramer, Krebs, Lisanti, Mautz, McDonough, McMillan, Miele, W. Miller, Morgan, Morhaim, Oaks, Pendergrass, Reznik, Rose, Saab, Sample-Hughes, Valderrama, Vaughn, Waldstreicher, C. Wilson, and K. Young

AN ACT concerning

Proposed Regulations – Determination of Impact on Small Businesses

HB0939/627773/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 939

(Third Reading File Bill)

On page 1, in line 13, after “Council;” insert “requiring promulgating units to provide certain assistance to staff of the Advisory Council;”.

On page 5, in line 8, strike “AND”; and in line 11, after “LAW” insert “; AND

(5) CONSIDER WHETHER THE PROPOSED REGULATION POSES A POTENTIAL UNREASONABLE BURDEN ON CONSUMERS”.

On page 6, in line 12, before “THE” insert “(A)”; and after line 28, insert:

“(B) THE PROMULGATING UNITS SHALL PROVIDE THE ASSISTANCE OF SUBJECT MATTER EXPERTS AS NEEDED TO THE STAFF OF THE ADVISORY COUNCIL TO ENABLE THE STAFF TO CARRY OUT THE ACTIVITIES DESCRIBED IN SUBSECTION (A) OF THIS SECTION.”

The preceding amendment was read only.

Senator Pinsky moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 940 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Arentz, Aumann, Barkley, Branch, Brooks, Carey, Clippinger, Fisher, Frick, Glenn, S. Howard, Jameson, Kramer, Lisanti, W. Miller, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Office of the Business Ombudsman – State Customer Service and Business Development Efforts Training Program

Senator Kagan moved, duly seconded, to make the Bill and Report a Special Order for March 30, 2015.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #13

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 51 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Circuit Court Real Property Records Improvement Fund – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 130 – Delegates Jones, B. Barnes, Brooks, Frick, Hettleman, Jalisi, Lafferty, Morhaim, Proctor, B. Robinson, Stein, Sydnor, and P. Young

AN ACT concerning

African American Heritage Preservation Program – Reestablishment and Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 296 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 664 – ~~Delegates Krimm and K. Young~~ Frederick County Delegation

AN ACT concerning

**Frederick County Property Tax Fairness Act of 2015
(Strengthening Frederick Municipalities)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #16

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 298 – Senator Norman

AN ACT concerning

Motor Vehicle Administration – Temporary Registration Plates – Regulations

SB0298/388275/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 298

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Vehicle Laws – Dealers – Financing or Leasing Agreements”; strike beginning with “requiring” in line 3 down through “plates” in line 7 and substitute “requiring that a certain notice be provided to a buyer purchasing a vehicle through dealer–arranged financing or leasing before approval of a third–party financial institution has been received; requiring a dealer to notify a buyer in writing if the terms of a certain financing or lease agreement are not approved by a third party finance source within a certain period of time; requiring a buyer to return a vehicle to a dealer within a certain period of time under certain circumstances; authorizing a dealer to repossess a vehicle in accordance with certain provisions of law under certain circumstances; authorizing a dealer and a buyer to agree on new financing or leasing terms under certain circumstances; authorizing a dealer or a buyer to cancel a sale under certain circumstances; requiring a dealer to return any trade–in vehicle, down payment, and titling fee or tax to a buyer if a certain sale is canceled; prohibiting a dealer from charging a fee to a buyer for the use of a vehicle if a certain sale is canceled; requiring a dealer to maintain certain required security for a vehicle until a certain financing or lease agreement is approved by a third–party finance source; prohibiting a buyer from waiving the rights established by this Act; stating that certain provisions of law apply to a financing or lease agreement between a dealer and a buyer; making a violation of this Act an unfair and deceptive trade practice; establishing that a dealer that is found guilty of an unfair and deceptive trade practice is subject to certain enforcement and penalty provisions; and generally relating to sales contracts and financing or leasing agreements for vehicles”; and strike in their entirety lines 8 through 12, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 13–301(14)(xxviii)

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 13–301(14)(xxix) and (15)

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

BY adding to

Article – Commercial Law

Section 13–301(14)(xxx)

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

BY adding to

Article – Transportation

Section 15–311.3

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“Article – Commercial Law

13–301.

Unfair or deceptive trade practices include any:

(14) Violation of a provision of:

(xxviii) Title 12, Subtitle 10 of the Financial Institutions Article;

[or]

(xxix) Title 19, Subtitle 7 of the Business Regulation Article; or

(xxx) SECTION 15–311.3 OF THE TRANSPORTATION ARTICLE; OR

(15) Act or omission that relates to a residential building and that is chargeable as a misdemeanor under or otherwise violates a provision of the Energy Conservation Building Standards Act, Title 7, Subtitle 4 of the Public Utilities Article.”;

and after line 15, insert:

“15–311.3.

(A) (1) FOR A BUYER PURCHASING A VEHICLE THROUGH DEALER-ARRANGED FINANCING OR LEASING BEFORE APPROVAL OF A THIRD-PARTY INSTITUTION HAS BEEN RECEIVED, THE FOLLOWING NOTICE SHALL BE PROVIDED TO THE BUYER IN A SEPARATE DOCUMENT AND SIGNED BY THE DEALER AND THE BUYER:

“FOR FINANCE OR LEASE SALES: THE FINANCING OR LEASE AGREEMENT YOU ENTERED INTO WITH THE DEALER IS NOT FINAL AND MUST BE APPROVED BY A THIRD-PARTY FINANCIAL INSTITUTION. IF THE TERMS ARE APPROVED, THE SALE CANNOT BE CANCELED. IF THE TERMS ARE NOT APPROVED, THE DEALER MUST NOTIFY YOU IN WRITING WITHIN 4 DAYS OF DELIVERY OF THE VEHICLE TO YOU, AND YOU OR THE DEALER MAY CANCEL THIS SALE. IF THE SALE IS CANCELED, THE VEHICLE DELIVERED TO YOU MUST BE RETURNED TO THE DEALER IN THE SAME CONDITION IT WAS GIVEN TO YOU, EXCEPT FOR NORMAL WEAR AND TEAR, WITHIN 2 DAYS OF YOUR RECEIPT OF A WRITTEN NOTICE OF THE THIRD-PARTY REJECTION. UNLESS YOU AND THE DEALER BOTH VOLUNTARILY AGREE ON NEW TERMS FOR THE SALE, ANY DOWN PAYMENT, TITLING FEE, TAX, OR TRADE-IN VEHICLE WILL BE RETURNED TO YOU IMMEDIATELY AND YOU MAY NOT BE CHARGED A FEE FOR USE OF THE VEHICLE THAT WAS THE SUBJECT OF THE SALE. YOU MAY NOT WAIVE ANY OF THESE RIGHTS. IF YOU FEEL THE DEALER HAS FAILED TO COMPLY WITH THE TERMS OF THIS NOTICE, YOU MAY CONTACT THE MOTOR VEHICLE ADMINISTRATION OR THE CONSUMER PROTECTION DIVISION OF THE OFFICE OF THE ATTORNEY GENERAL.”.

(2) A COPY OF THE SIGNED NOTICE SHALL BE PROVIDED TO THE BUYER BEFORE DELIVERY OF THE VEHICLE TO THE BUYER.

(B) A DEALER SHALL NOTIFY A BUYER IN WRITING IF THE TERMS OF A FINANCING OR LEASE AGREEMENT BETWEEN A DEALER AND A BUYER ARE NOT APPROVED BY A THIRD-PARTY FINANCE SOURCE WITHIN 4 DAYS OF DELIVERY OF A VEHICLE TO THE BUYER.

(C) (1) IF THE TERMS OF A FINANCING OR LEASE AGREEMENT BETWEEN A DEALER AND A BUYER ARE NOT APPROVED BY A THIRD-PARTY FINANCE SOURCE, THE BUYER SHALL RETURN THE VEHICLE TO THE DEALER IN THE SAME CONDITION

IN WHICH THE BUYER RECEIVED THE VEHICLE, EXCEPT FOR NORMAL WEAR AND TEAR, WITHIN 2 DAYS OF RECEIPT OF THE NOTICE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

(2) IF A BUYER DOES NOT RETURN THE VEHICLE TO THE DEALER AS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEALER MAY REPOSSESS THE VEHICLE IN ACCORDANCE WITH § 12-624 OF THE COMMERCIAL LAW ARTICLE.

(D) (1) A DEALER AND A BUYER MAY AGREE ON NEW FINANCING OR LEASING TERMS ON RETURN OF A VEHICLE UNDER SUBSECTION (C)(1) OF THIS SECTION.

(2) (I) IF A DEALER AND A BUYER DO NOT AGREE ON NEW FINANCING OR LEASING TERMS, THE DEALER OR THE BUYER MAY CANCEL THE SALE.

(II) IF A SALE IS CANCELED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEALER:

1. SHALL RETURN TO THE BUYER ANY TRADE-IN VEHICLE, DOWN PAYMENT, AND TITLING FEE OR TAX PAID UNDER TITLE 13, SUBTITLE 8 OF THIS ARTICLE; AND

2. MAY NOT CHARGE THE BUYER A FEE FOR THE USE OF THE VEHICLE.

(E) A DEALER SHALL MAINTAIN THE REQUIRED SECURITY FOR THE VEHICLE UNDER § 17-104 OF THIS ARTICLE UNTIL THE TERMS OF THE FINANCING OR LEASE AGREEMENT BETWEEN A BUYER AND A DEALER ARE APPROVED BY A THIRD-PARTY FINANCE SOURCE.

(F) A BUYER MAY NOT WAIVE THE RIGHTS ESTABLISHED UNDER THIS SECTION.

(G) THE PROVISIONS OF TITLE 12, SUBTITLES 1 AND 6 OF THE COMMERCIAL LAW ARTICLE APPLY TO A FINANCING OR LEASE AGREEMENT BETWEEN A DEALER AND A BUYER.

(H) A VIOLATION OF THIS SECTION BY A DEALER:

(1) IS AN UNFAIR AND DECEPTIVE TRADE PRACTICE UNDER TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND

(2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.”

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 14 on page 2, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senator Raskin moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Raskin moved to suspend the rules to allow **Senate Bill 941** to be referred immediately.

The motion was adopted.

Senate Bill 941 – Senator Raskin

AN ACT concerning

Maryland Uniform Interstate Family Support Act – Revision

FOR the purpose of revising the Maryland Uniform Interstate Family Support Act; establishing that the Child Support Enforcement Administration is the support

enforcement agency of the State; extending the application of certain provisions of the Maryland Uniform Interstate Family Support Act to include parties, pleadings, proceedings, and support orders of a foreign country; authorizing a tribunal of this State to exercise jurisdiction over a guardian or conservator under certain circumstances; altering a certain provision governing when a tribunal of this State may act as an initiating or a responding tribunal; altering the circumstances under which a tribunal of this State may exercise jurisdiction to establish a support order; authorizing a tribunal of this State to communicate with a tribunal outside this State by electronic mail; requiring a support enforcement agency to provide certain services to certain plaintiffs and authorizing a support enforcement agency to provide services to certain other plaintiffs; authorizing a tribunal of this State to serve as a responding tribunal in a parentage proceeding under certain circumstances; altering certain provisions governing when a tribunal of this State may modify a child support order issued in another state; providing that a tribunal of this State retains jurisdiction to modify a support order issued by a tribunal of this State under certain circumstances; establishing that the Child Support Enforcement Administration is the recognized agency designated by the United States central authority to perform certain functions under the Convention on International Recovery of Child Support and Other Forms of Family Maintenance; requiring the Child Support Enforcement Administration to perform certain functions under the Convention; establishing that certain support proceedings are available to certain parties under the Convention; prohibiting the requirement of a security, bond, or deposit to guarantee the payment of certain costs and expenses under the Convention; establishing that a party may make certain direct requests regarding certain support orders or the parentage of a child in the State under the Convention; establishing the application of State law in certain proceedings; requiring prompt notice of certain decisions to the parties to certain actions; establishing that certain foreign parties are entitled to free legal assistance under certain circumstances; providing that certain plaintiffs are not entitled to assistance from the Child Support Enforcement Administration; requiring a party seeking recognition and enforcement of a Convention support order or foreign support agreement to register the order or agreement in this State; requiring that a party seeking recognition and enforcement of a Convention support order or foreign support agreement provide certain records, documentation, and information to a tribunal of this State; authorizing a tribunal of this State to vacate the registration of a Convention support order under certain circumstances; establishing certain procedural rules and requirements for a contest of certain orders and agreements; requiring enforcement or partial enforcement of a Convention support order or foreign support agreement except under certain circumstances; establishing the grounds on which a tribunal of this State may refuse to recognize a Convention support order or foreign support agreement; requiring suspension of a proceeding to recognize and enforce a foreign support agreement under certain circumstances; prohibiting the modification of a Convention support order when a certain party remains a resident of the foreign country that issued the order except under certain circumstances; restricting how personal information gathered or transmitted under the Act may be used; requiring that a record filed under the Act be in its original language and contain an English translation if not in English; providing for the application of certain provisions of law under certain

circumstances; making certain stylistic, technical, and conforming changes; defining certain terms; altering certain definitions; and generally relating to the Maryland Uniform Interstate Family Support Act.

BY renumbering

Article – Family Law

Section 10–355 through 10–359, respectively
to be Section 10–367 through 10–371, respectively
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10–301, 10–302, 10–303(a), 10–304, 10–306, 10–307, 10–308(a) and (c), 10–309(a), 10–310(a) through (c), 10–311, 10–312, 10–312.1, 10–312.2(b), 10–313(b), 10–316(b), 10–317(b)(1) and (8), 10–318, 10–319(a) and (b)(1), 10–320(b), 10–322(b)(3), 10–323(a), 10–325(b), 10–328(a), (b), and (d) through (f), 10–329, 10–330, 10–331(a); 10–332(a) to be under the amended part “Part IV. Establishment of Support Order or Determination of Parentage”; 10–335 through 10–337 to be under the amended part “Part V. Enforcement of Support Order Without Registration”; 10–339(a), 10–340, 10–341(a) and (b), 10–342, 10–343, 10–344(a), (b)(2), (c)(1), and (d), 10–345(a) and (b), 10–346, 10–347; 10–348 to be under the amended subpart “Subpart C. Registration and Modification of Child Support Order of Another State”; 10–349, 10–350(a) and (c); and 10–353.1 to be under the new subpart “Subpart D. Registration and Modification of Foreign Child Support Order”

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY adding to

Article – Family Law

Section 10–303.1, 10–332.1, 10–350(f), 10–353.2, and 10–354 through 10–366 to be
under the amended part “Part VII. Support Proceeding Under Convention”

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing

Article – Family Law

Section 10–354

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 629)

ADJOURNMENT

At 11:45 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 8:00 P.M. on Legislative Day March 25, 2015, Calendar Day, Monday, March 30, 2015.

Annapolis, Maryland
Legislative Day: March 25, 2015
Calendar Day: Monday, March 30, 2015
8:00 P.M. Session

The Senate met at 8:08 P.M.

Prayer by Senator Salling.

(See Exhibit A of Appendix III)

The Journal of March 24, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 631)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 500 – Senator Justin Ready:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Rebecca Martin, Head Coach
McDaniel College Women's Basketball Team
in recognition of
her 500th career win in a season in
which her team earned top seed in the
Centennial Conference and an NCAA bid.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 30th day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 633)

Senate Resolution No. 499 – Senator James E. DeGrange, Sr.:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Meade High School Boys Basketball Team
in recognition of
winning the 2015 Class 4A State Championship. Congratulations on this momentous
accomplishment and bringing Anne Arundel County its first state title since 1990.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 30th day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 634)

Senate Resolution No. 505 – Senator Adelaide C. Eckardt:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Talbot Braves Midget Cheer Squad
Talbot Braves Pop Warner Football and Cheer Program
in recognition of
winning the National Championships at the Pop Warner Super Bowl and National Cheer
and Dance Championships in December 2014 at the ESPN Wide World Sports Complex.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 30th day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 635)

Senate Resolution No. 501 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Florence Falatko
in recognition of
receiving a Financial Education and Capability Award, for your dedication to your
students and exemplifying excellence in financial education.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 30th day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 636)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 637)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #51

Senate Bill 298 – Senator Norman

AN ACT concerning

~~Motor Vehicle Administration – Temporary Registration Plates – Regulations~~
Vehicle Laws – Dealers – Financing or Leasing Agreements

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 638)

The Bill was then sent to the House of Delegates.

**Senate Bill 346 – Senators Pugh, Middleton, Bates, Klausmeier, Madaleno,
Montgomery, Nathan-Pulliam, Salling, Waugh, and Young**

AN ACT concerning

Pharmacists – Scope of Practice – ~~Revisions~~ Administration of Drugs

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 639)

The Bill was then sent to the House of Delegates.

**Senate Bill 622 – Senators Currie, King, Montgomery, Ramirez, ~~and Rosapepe~~
Rosapepe, and Benson**

AN ACT concerning

Education – English Language Learner Liaison Pilot Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 640)

The Bill was then sent to the House of Delegates.

Senate Bill 812 – Senator Reilly

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – ~~Craft~~ Limited Distillery License

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 641)

The Bill was then sent to the House of Delegates.

Senate Bill 854 – Senators Young, Mathias, and Montgomery

AN ACT concerning

State Government – Administrative Procedure Act – Effective Date of Adopted Regulations

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 642)

The Bill was then sent to the House of Delegates.

Senate Bill 870 – Senator Edwards

AN ACT concerning

Garrett County – Memorial Hospital – Board of Governors

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 643)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #3

House Bill 14 – ~~Delegate O'Donnell~~ Delegates O'Donnell and S. Howard

AN ACT concerning

Hunting Licenses – Exemption for Retired Members of the Armed Forces

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 644)

The Bill was then sent to the House of Delegates.

House Bill 51 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Circuit Court Real Property Records Improvement Fund – Funding

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 13 (See Roll Call No. 645)

The Bill was then sent to the House of Delegates.

House Bill 130 – Delegates Jones, B. Barnes, Brooks, Frick, Hettleman, Jalisi, Lafferty, Morhaim, Proctor, B. Robinson, Stein, Sydnor, and P. Young

AN ACT concerning

African American Heritage Preservation Program – Reestablishment and Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 646)

The Bill was then sent to the House of Delegates.

House Bill 296 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 647)

The Bill was then sent to the House of Delegates.

House Bill 664 – ~~Delegates Krimm and K. Young~~ Frederick County Delegation

AN ACT concerning

**Frederick County Property Tax Fairness Act of 2015
(Strengthening Frederick Municipalities)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 648)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON FINANCE REPORT #22

Senator Middleton, Chair, for the Committee on Finance and Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 941 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Barkley, Branch, Brooks, Carey, Chang, Clippinger, Fisher, Frick, Glenn, Haynes, Hettleman, Jackson, Jameson, Kramer, Lisanti, Mautz, A. Miller, B. Robinson, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

**Task Force to Study Exemptions from Higher Education Ethics Requirements
and Procurement Rules to Facilitate Technology Transfer**

HB0941/617672/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 941

(Third Reading File Bill)

On page 2, in line 18, strike “and”; and in line 20, after “State” insert “; and”

(9) the Executive Director of the State Ethics Commission, or the Executive Director’s designee”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #14

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 761 – Senators Feldman, Brochin, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Middleton, Montgomery, Ramirez, Raskin, Rosapepe, and Waugh

AN ACT concerning

Disabled Individuals – Maryland ABLE Program – Established

SB0761/339634/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 761

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Individuals –” insert “Task Force on the”; in the same line, strike “– Established”; and strike in their entirety lines 3 through 29, inclusive, and substitute:

“FOR the purpose of establishing a Task Force on the Maryland Achieving a Better Life Experience (ABLE) Program; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor

and the General Assembly on or before a certain date; stating the intent of the General Assembly to establish an ABLE Program; requiring the General Assembly to consider legislation proposed by the Task Force to establish an ABLE Program; defining a certain term; providing for the termination of this Act; and generally relating to the Task Force on the Maryland ABLE Program.”.

On page 2, strike in their entirety lines 1 through 27, inclusive.

AMENDMENT NO. 2

On pages 2 through 36, strike in their entirety the lines beginning with line 28 on page 2 through line 2 on page 36, inclusive, and substitute:

“Preamble

WHEREAS, In December 2014, the United States Congress passed and the President signed into law the Achieving a Better Life Experience (ABLE) Act; and

WHEREAS, The ABLE Act amended the Internal Revenue Code by creating a tax exemption for savings accounts to assist individuals with disabilities and their families in building savings to pay for qualified disability expenses; and

WHEREAS, ABLE accounts are intended to supplement, not supplant, essential benefits provided through private insurance, Medicaid, Supplemental Security Income, employment earnings, and other sources of financial support; and

WHEREAS, ABLE accounts can help fund qualified expenses for individuals with disabilities, including medical and dental care, education, housing, transportation, obtaining and maintaining employment, assistive technology, and community-based services and supports; and

WHEREAS, The ABLE Act is designed to assist individuals with disabilities and their families to save private funds, through the creation of ABLE accounts, for the purpose of maintaining the health, independence, and quality of life of individuals with disabilities; and

WHEREAS, The ABLE Act provides the State the opportunity to establish and operate an ABLE savings program to benefit qualified Marylanders with disabilities; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,That:

(a) “Maryland ABLÉ Program” means a program in Maryland allowing disabled individuals or their families to establish savings accounts to pay qualified expenses for disabled individuals authorized under the federal Achieving a Better Life Experience (ABLE) Act.

(b) It is the intent of the General Assembly that the State establish a Maryland ABLÉ Program.

(c) If the Task Force established under Section 2 of this Act determines that legislation is needed to establish the Maryland ABLÉ Program, the General Assembly shall consider legislation that is introduced in response to the findings of the Task Force.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force on the Maryland Achieving a Better Life Experience (ABLE) Program.

(b) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the State Treasurer, or the Treasurer’s designee;

(4) the Attorney General, or the Attorney General’s designee;

(5) the Secretary of Disabilities, or the Secretary’s designee;

(6) the Secretary of Health and Mental Hygiene, or the Secretary’s designee;

(7) the Executive Director of the College Savings Plans of Maryland Board, or the Executive Director’s designee; and

(8) the following six members, appointed by the Governor:

(i) two members who have significant experience in actuarial analysis, finance, accounting, investment management, or other areas that are relevant to the Task Force;

(ii) one member who is an individual with a disability;

(iii) one member who is a family member of an individual with a disability; and

(iv) two representatives of community-based organizations that support or advocate for individuals with disabilities.

(c) The Governor shall designate the chair of the Task Force.

(d) The Department of Disabilities shall provide staff for the Task Force, with support from the College Savings Plans of Maryland, the Treasurer's Office, and the Comptroller's Office.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) develop a plan for implementing the Maryland ABLE program;

(2) study issues related to the Maryland ABLE program, including:

(i) what the structure of the program should be;

(ii) whether the program should be State-sponsored or privately-run; and

(iii) if State-sponsored, whether the program should be operated by the College Savings Plans of Maryland or another State agency;

(3) determine the staffing and funding needs of the program;

(4) identify potential sources of start-up funding prior to the program becoming self-supporting;

(5) determine the membership of the Board that will oversee the program, the duties of the Board, and the Board's governance structure;

(6) determine the State tax benefits or treatment of contributions to and withdrawals from ABLE accounts;

(7) hold public hearings for public input to inform the deliberations of the Task Force; and

(8) recommend legislation to be introduced in the 2016 Session of the General Assembly that implements the recommendations of the Task Force.

(g) On or before December 1, 2015, the Task Force shall report its findings, recommendations, and proposed legislation necessary to establish the ABLE Program to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2015. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #15

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 123 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Residential Retention Property Tax Credit – Modification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**House Bill 497 – Delegate Anderson (By Request – Baltimore City Administration)
and Delegates Conaway, Glenn, Haynes, and B. Robinson**

AN ACT concerning

**Property Tax – Exemption – Low Income Housing – Ownership by Limited
Liability Company**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**House Bill 1105 – Delegates Zucker, Kelly, McIntosh, B. Barnes, Barve, Gaines,
Hammen, Haynes, Hixson, Jones, ~~and A. Miller~~ A. Miller, Beitzel, Carozza,
Chang, Ciliberti, Ghrist, Grammer, Gutierrez, Hettleman, Jackson,
Korman, Krimm, Lierman, McKay, B. Robinson, Sophocleus, Vogt, Wivell,
P. Young, Kipke, and Szeliga**

AN ACT concerning

**Disabled Individuals – Task Force on the Maryland ABLÉ Program –
~~Established~~**

HB1105/259438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1105, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, after “date;” insert “stating the intent of the General Assembly to establish an ABLÉ Program; requiring the General Assembly to consider legislation proposed by the Task Force to establish an ABLÉ Program; defining a certain term;”.

AMENDMENT NO. 2

On page 36, in line 16, strike “tax-exempt” and substitute “a tax exemption for”; in line 30, strike “and” and substitute “now, therefore,”; strike in their entirety lines 31 and 32, inclusive; and after line 34, insert:

“(a) “Maryland ABLÉ Program” means a program in Maryland allowing disabled individuals or their families to establish savings accounts to pay qualified expenses for disabled individuals authorized under the federal Achieving a Better Life Experience (ABLE) Act.

(b) It is the intent of the General Assembly that the State establish a Maryland ABLÉ Program.

(c) If the Task Force established under Section 2 of this Act determines that legislation is needed to establish the Maryland ABLÉ Program, the General Assembly shall consider legislation that is introduced in response to the findings of the Task Force.

SECTION 2. AND BE IT FURTHER ENACTED, That:”.

AMENDMENT NO. 3

On page 37, strike in their entirety lines 25 and 26, inclusive, and substitute:

“(d) The Department of Disabilities shall provide staff for the Task Force, with support from the College Savings Plans of Maryland, the Treasurer’s Office, and the Comptroller’s Office.”.

On page 38, in line 23, after “recommendations” insert “, and proposed legislation necessary to establish the ABLÉ Program”; and in line 25, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 756 – Senator Muse**EMERGENCY BILL**

AN ACT concerning

Prince George’s County – Foreclosure Relief Act of 2015

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0756/438971/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 756

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “County;” in line 4; in line 5, strike “lender” and substitute “secured party”; in line 6, after “property” insert “located in certain zip codes”; in line 8, after “findings” insert “and recommendations”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 12 through 27, inclusive; and in line 29, strike “mean” and substitute “means”.

AMENDMENT NO. 3

On page 4, in line 1, strike “A” and substitute “In Prince George’s County, a”; in line 2, after “property” insert “located”; and in the same line, strike “Prince George’s County” and substitute “zip codes 20703, 20705, 20706, 20707, 20708, 20710, 20716, 20717, 20720, 20721, 20722, 20735, 20743, 20744, 20745, 20746, 20747, 20748, 20607, 20772, 20774, 20781, 20782, 20783, 20784, and 20785”.

AMENDMENT NO. 4

On page 4, in line 4, before “The” insert “(a)”; in line 5, strike “(a)” and substitute “(1)”; in lines 6, 9, 11, and 13, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively; in line 15, strike “and”; after line 15, insert:

“(2) evaluate the Foreclosure Mediation Program and make recommendations for improvements to the Program to increase the number of foreclosure sales avoided;

(3) conduct a review and accounting of State and federal foreclosure relief funds and make recommendations on harnessing and targeting the funds for mortgage principal reduction in the zip codes listed in Section 2 of this Act; and

(4) determine how many homeowners in the zip codes listed in Section 2 of this Act received mortgage principal reductions.”;

in line 16, strike “on” and substitute “On”; in the same line, strike “July 1, 2016,” and substitute “December 1, 2015, the Office of the Attorney General shall”; in line 17, after “findings” insert “and recommendations”; in lines 17 and 18, strike “of the Attorney General”; and strike beginning with “Section” in line 29 down through “effect.” in line 31.

The preceding 4 amendments were read only.

Senator Muse moved, duly seconded, to make the Bill and Amendments a Special Order for April 1, 2015.

The motion was adopted.

House Bill 940 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Arentz, Aumann, Barkley, Branch, Brooks, Carey, Clippinger, Fisher, Frick, Glenn, S. Howard, Jameson, Kramer, Lisanti, W. Miller, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Office of the Business Ombudsman – State Customer Service and Business Development Efforts Training Program

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

HB0940/413629/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 940

(Third Reading File Bill)

On page 4, in line 7, strike “WEEKLY” and substitute “**REGULAR**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

LAI D O V E R B I L L S

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 843 – Senators Waugh, Astle, Bates, Brochin, Cassilly, DeGrange, Eckardt, Edwards, Hershey, Hough, Jennings, Kagan, King, Klausmeier, Manno, Mathias, Montgomery, Norman, Peters, Pugh, Ramirez, Raskin, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Young

AN ACT concerning

Higher Education – Military Dependents – In-State Tuition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0843/584639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 843

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety; after line 2, insert:

“University System of Maryland – Members of the Armed Forces – Financial Aid”;

strike beginning with “exempting” in line 3 down through “forces” in line 6 and substitute “establishing the Return to Maryland Program; providing for the purpose of the Program; providing that certain eligible students are exempt from paying the nonresident tuition rate at constituent institutions of the University System of Maryland; providing that the Program is limited to a certain number of students; requiring the University System of Maryland to administer the Program; requiring the University System of Maryland to submit a certain report to the General Assembly on or before a certain date; and generally relating to financial aid for members of the armed forces”; strike in their entirety lines 7 through 11, inclusive; and after line 11, insert:

“BY adding to

Article – Education

Section 15–106.9

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 15 on page 1 through line 20 on page 3, inclusive, and substitute:

“15–106.9.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CONSTITUENT INSTITUTION” HAS THE MEANING STATED IN § 12–101 OF THIS ARTICLE.

(3) “ELIGIBLE STUDENT” MEANS AN INDIVIDUAL WHO:

(i) IS A FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES OR AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES ARMED FORCES;

(ii) WAS ENROLLED IN A PUBLIC OR NONPUBLIC HIGH SCHOOL IN THE STATE FOR AT LEAST 1 YEAR DURING THE 3 YEARS IMMEDIATELY BEFORE SEEKING ENROLLMENT IN A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND; AND

(III) WAS A RESIDENT OF OR DOMICILED IN THE STATE WHILE ENROLLED IN A PUBLIC OR NONPUBLIC HIGH SCHOOL IN THE STATE.

(4) “PROGRAM” MEANS THE RETURN TO MARYLAND PROGRAM.

(B) THERE IS A RETURN TO MARYLAND PROGRAM IN THE STATE.

(C) THE PURPOSE OF THE PROGRAM IS TO ENCOURAGE AND ASSIST ELIGIBLE STUDENTS WHO ONCE LIVED IN MARYLAND TO RETURN TO THE STATE AND ATTEND A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND.

(D) AN ELIGIBLE STUDENT IS EXEMPT FROM PAYING THE NONRESIDENT TUITION RATE AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND.

(E) THE PROGRAM SHALL BE LIMITED TO 100 ELIGIBLE STUDENTS.

(F) THE UNIVERSITY SYSTEM OF MARYLAND SHALL ADMINISTER THE PROGRAM.

SECTION 2. AND BE IT FURTHER ENACTED, That on or before June 30, 2017, and June 30, 2018, the University System of Maryland shall submit a report, in accordance with § 2–1246 of the State Government Article, to the General Assembly regarding:

(1) how many individuals applied to the Return to Maryland Program established in accordance with § 15–106.9 of the Education Article; and

(2) how many individuals received awards under the Program.”;

and in line 21, strike “2.” and substitute “3.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 939 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Arentz, Aumann, Barkley, Barron, Branch, Brooks, Carey, Clippinger, Cullison, Fisher, Frick, Glenn, Hammen, Hayes, Hill, S. Howard, Jameson, Kelly, Kipke, Kramer, Krebs, Lisanti, Mautz, McDonough, McMillan, Miele, W. Miller, Morgan, Morhaim, Oaks, Pendergrass, Reznik, Rose, Saab, Sample-Hughes, Valderrama, Vaughn, Waldstreicher, C. Wilson, and K. Young

AN ACT concerning

Proposed Regulations – Determination of Impact on Small Businesses

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB0939/627773/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 939

(Third Reading File Bill)

On page 1, in line 13, after “Council;” insert “requiring promulgating units to provide certain assistance to staff of the Advisory Council;”.

On page 5, in line 8, strike “AND”; and in line 11, after “LAW” insert “; AND

(5) CONSIDER WHETHER THE PROPOSED REGULATION POSES A POTENTIAL UNREASONABLE BURDEN ON CONSUMERS”.

On page 6, in line 12, before “THE” insert “(A)”; and after line 28, insert:

“(B) THE PROMULGATING UNITS SHALL PROVIDE THE ASSISTANCE OF SUBJECT MATTER EXPERTS AS NEEDED TO THE STAFF OF THE ADVISORY COUNCIL TO ENABLE THE STAFF TO CARRY OUT THE ACTIVITIES DESCRIBED IN SUBSECTION (A) OF THIS SECTION.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0939/473825/1

BY: Senators Conway and McFadden

AMENDMENT TO HOUSE BILL 939

(Third Reading File Bill)

On page 3, in line 20, strike “**TWO SMALL BUSINESS OWNERS, ONE**” and substitute “**THE FOLLOWING FOUR MEMBERS, TWO**”; in line 21, strike “**ONE**” and substitute “**TWO**”; and strike beginning with the semicolon in line 21 down through “**AND**” in line 22 and substitute “**;**”

- (I) TWO SMALL BUSINESS OWNERS;**
- (II) ONE MINORITY BUSINESS ENTERPRISE OWNER; AND**
- (III) ONE WOMEN’S BUSINESS ENTERPRISE OWNER; AND**.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 649)

ADJOURNMENT

At 9:07 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 26, 2015, Calendar Day, Tuesday, March 31, 2015.

Annapolis, Maryland
Legislative Day: March 26, 2015
Calendar Day: Tuesday, March 31, 2015
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Rabbi Adam Raskin, Congregation Har Shalom, guest of Senator Kagan.

(See Exhibit A of Appendix III)

The Journal of March 25, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 651)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 507 – Senator Paul G. Pinsky:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Eleanor Roosevelt High School
Girls Varsity Basketball Team
in recognition of

your winning the 2015 Class 4A Girls Basketball State Championship. We applaud your
outstanding season and wish you many more. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 31st day of March 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 652)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 653)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #52

Senate Bill 761 – Senators Feldman, Brochin, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Middleton, Montgomery, Ramirez, Raskin, Rosapepe, and Waugh

AN ACT concerning

**Disabled Individuals – Task Force on the Maryland ABLE Program –
~~Established~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 654)

The Bill was then sent to the House of Delegates.

Senate Bill 843 – Senators Waugh, Astle, Bates, Brochin, Cassilly, DeGrange, Eckardt, Edwards, Hershey, Hough, Jennings, Kagan, King, Klausmeier, Manno, Mathias, Montgomery, Norman, Peters, Pugh, Ramirez, Raskin, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Young

AN ACT concerning

~~**Higher Education – Military Dependents – In State Tuition**~~

University System of Maryland – Members of the Armed Forces – Financial Aid

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 655)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #4

House Bill 123 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Residential Retention Property Tax Credit – Modification

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 656)

The Bill was then sent to the House of Delegates.

**House Bill 497 – Delegate Anderson (By Request – Baltimore City Administration)
and Delegates Conaway, Glenn, Haynes, and B. Robinson**

AN ACT concerning

**Property Tax – Exemption – Low Income Housing – Ownership by Limited
Liability Company**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 657)

The Bill was then sent to the House of Delegates.

**House Bill 939 – The Speaker (By Request – Maryland Economic Development
and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~
Jones, Adams, Arentz, Aumann, Barkley, Barron, Branch, Brooks, Carey,
Clippinger, Cullison, Fisher, Frick, Glenn, Hammen, Hayes, Hill, S. Howard,
Jameson, Kelly, Kipke, Kramer, Krebs, Lisanti, Mautz, McDonough,
McMillan, Miele, W. Miller, Morgan, Morhaim, Oaks, Pendergrass, Reznik,
Rose, Saab, Sample-Hughes, Valderrama, Vaughn, Waldstreicher,
C. Wilson, and K. Young**

AN ACT concerning

Proposed Regulations – Determination of Impact on Small Businesses

FLOOR AMENDMENT

HB0939/883226/1

BY: Senator Madaleno

AMENDMENTS TO HOUSE BILL 939, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 5, strike “purpose,”; strike beginning with “requiring” in line 7 down through “Council,” in line 13; and strike beginning with “requiring” in line 15 down through “businesses,” in line 17.

On page 2 of the bill, strike beginning with “requiring” in line 2 down through “findings,” in line 3; strike beginning with “making” in line 8 down through “changes,” in line 9; and in line 14, strike “3-508” and substitute “3-506”.

AMENDMENT NO. 2

Strike in their entirety the Finance Committee Amendments (HB0939/627773/1).

On page 3 of the bill, in line 8, strike “(A)”; and strike in their entirety lines 10 through 12, inclusive.

On page 4 of the bill, in line 23, strike “§ 3-508” and substitute “§ 3-506”.

On pages 4 through 6 of the bill, strike in their entirety the lines beginning with line 29 on page 4 through line 28 on page 6, inclusive.

On page 6 of the bill, in line 29, strike “3-507.” and substitute “3-505.”.

On page 7 of the bill, in line 2, strike “AND”; in line 4, after “ARTICLE” insert “;

(3) CONSULTING WITH SMALL BUSINESSES ON DRAFTING AND IMPLEMENTING REGULATIONS;

(4) REVIEWING EXISTING REGULATIONS TO DETERMINE THE IMPACT ON SMALL BUSINESSES IN THE STATE; AND

(5) MINIMIZING CONFLICTS BETWEEN STATE REGULATIONS AND FEDERAL LAW AND REGULATIONS;

and in line 5, strike “3-508.” and substitute “3-506.”.

On page 9 of the bill, in line 8, strike “BY THE ADVISORY COUNCIL”; in line 14, strike “THE ADVISORY COUNCIL DETERMINES THAT”; strike beginning with “, IN” in

line 15 down through “ARTICLE” in line 16; in line 25, strike the brackets; and in the same line, strike “(D)”.

On page 10 of the bill, strike in their entirety lines 1 through 7, inclusive; in line 8, strike the brackets; and in the same line, strike “(D)”.

On page 11 of the bill, in line 17, after “PROPOSED;” insert “AND”; strike beginning with the semicolon in line 19 down through “SECTION” in line 24; in lines 25, 26, and 28, in each instance, strike the brackets; in line 25, strike “(E)”; and in lines 26 and 28, in each instance, strike “(D)”.

On page 12 of the bill, strike beginning with the first “THE” in line 1 down through “THAT” in line 7; in line 10, strike “(III)” and substitute “(II)”; in line 14, in each instance, strike the brackets; in the same line, strike “(F)”; and in the same line, strike “(D)”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 10 Negative – 37 (See Roll Call No. 658)

FLOOR AMENDMENT

HB0939/203920/4

BY: Senator Kagan

AMENDMENT TO HOUSE BILL 939

(Third Reading File Bill)

On page 3, in line 3, after “(F)” insert “(1)”; after line 4, insert:

“(2) “SMALL BUSINESS” INCLUDES A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.”;

in line 22, strike “AND”; and in line 25, after “GOVERNOR” insert “;AND”

(6) ONE REPRESENTATIVE OF A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE, SELECTED BY THE MARYLAND ASSOCIATION OF NON-PROFIT ORGANIZATIONS”.

On page 9, in line 17, after “(J)” insert “(1)”; and after line 18, insert:

“(2) “SMALL BUSINESS” INCLUDES A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 10 Negative – 37 (See Roll Call No. 659)

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 5 (See Roll Call No. 660)

The Bill was then sent to the House of Delegates.

House Bill 940 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Arentz, Aumann, Barkley, Branch, Brooks, Carey, Clippinger, Fisher, Frick, Glenn, S. Howard, Jameson, Kramer, Lisanti, W. Miller, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Office of the Business Ombudsman – State Customer Service and Business Development Efforts Training Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 661)

The Bill was then sent to the House of Delegates.

House Bill 941 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Barkley, Branch, Brooks, Carey, Chang, Clippinger, Fisher, Frick, Glenn, Haynes, Hettleman, Jackson, Jameson, Kramer, Lisanti, Mautz, A. Miller, B. Robinson, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Task Force to Study Exemptions from Higher Education Ethics Requirements and Procurement Rules to Facilitate Technology Transfer

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 662)

The Bill was then sent to the House of Delegates.

House Bill 1105 – Delegates Zucker, Kelly, McIntosh, B. Barnes, Barve, Gaines, Hammen, Haynes, Hixson, Jones, ~~and A. Miller~~ A. Miller, Beitzel, Carozza, Chang, Ciliberti, Ghrist, Grammer, Gutierrez, Hettleman, Jackson, Korman, Krimm, Lierman, McKay, B. Robinson, Sophocleus, Vogt, Wivell, P. Young, Kipke, and Szeliga

AN ACT concerning

**Disabled Individuals – Task Force on the Maryland ABLE Program –
~~Established~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 663)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #16

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 590 – The President (By Request – Administration) and Senators Bates, Eckardt, Edwards, Hershey, Hough, Jennings, Klausmeier, Muse, Norman, Ready, Reilly, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Small Business Personal Property Tax Relief Act of 2015

SB0590/599536/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 590

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Waugh” and substitute “Waugh, Brochin, and Peters”; in line 3, after “with” insert “certain”; in line 4, after “value” insert “for certain”

taxable years”; strike beginning with “exempting” in line 5 down through “years;” in line 8 and substitute “requiring a person to annually make a certain application to the Department of Assessments and Taxation for a certain exemption by a certain date;”; in line 9, after “purpose;” insert “exempting a person under certain circumstances from submitting certain information that would otherwise be required; requiring the Department, by a certain date, to contract with a certain entity for a certain audit; requiring a certain report to be submitted to the General Assembly by a certain date; requiring the Governor to include funds in the State budget to cover the cost of a certain audit, not to exceed a certain amount; authorizing the Governor to introduce a certain deficiency appropriation at a certain time; defining a certain term; making certain provisions of this Act subject to a certain contingency;”; in the same line, strike “providing for the application of this Act;”; and after line 15, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 11–101

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “**EXCEPT**” in line 20 on page 1 down through “**ARTICLE**” in line 5 on page 2 and substitute:

“IN THIS SUBSECTION, “TOTAL ASSESSED VALUE” MEANS, FOR EACH PERSON, THE PERSONAL PROPERTY ASSESSMENT THAT IS THE GREATER OF:

(1) THE AGGREGATE ASSESSMENT OF PERSONAL PROPERTY FOR THAT PERSON IN ALL COUNTIES; OR

(2) THE AGGREGATE ASSESSMENT OF PERSONAL PROPERTY FOR THAT PERSON IN ALL MUNICIPAL CORPORATIONS.

(B) FOR THE TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2016, AND EACH TAXABLE YEAR THEREAFTER, EXCEPT FOR OPERATING PROPERTY ASSESSED UNDER §§ 8–108 AND 8–109 OF THIS ARTICLE, A PERSON WHO OWNS OR LEASES PERSONAL PROPERTY WITH A TOTAL ASSESSED VALUE OF \$10,000 OR LESS IS EXEMPT FROM THE PERSONAL PROPERTY TAX”;

strike in their entirety lines 6 through 23, inclusive; in line 24, strike “(D)” and substitute “(C)”; in the same line, after “SHALL” insert “ANNUALLY”; in line 25, strike “(A)(1)” and substitute “(B) OF THIS SECTION AT THE TIME THE PERSON FILES THE REPORT REQUIRED UNDER § 11-101 OF THIS ARTICLE”; in the same line, strike “OF THIS SECTION”; in line 28, after “UNDER” insert “SUBSECTION (B) OF”; and after line 28, insert:

“11-101.

(a) On or before April 15 of each year, a person shall submit a report on personal property to the Department if:

(1) the person is a business trust, statutory trust, domestic corporation, limited liability company, limited liability partnership, or limited partnership;

(2) the person is a foreign corporation, foreign statutory trust, foreign limited liability company, foreign limited liability partnership, or foreign limited partnership registered or qualified to do business in the State; or

(3) the person owns or during the preceding calendar year owned property that is subject to property tax.

(b) A PERSON WHO CERTIFIES IN AN ANNUAL REPORT SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION THAT THE PERSONAL PROPERTY OF THAT PERSON IS ELIGIBLE FOR THE EXEMPTION UNDER § 7-245 OF THIS ARTICLE MAY NOT BE REQUIRED TO SUBMIT THE PERSONAL PROPERTY INFORMATION THAT WOULD OTHERWISE BE REQUIRED IN THE REPORT.

(c) The report shall:

(1) be in the form that the Department requires;

(2) be under oath as the Department requires; and

(3) contain the information that the Department requires.”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 2 on page 3, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, and in accordance with the requirements of procurement law under the State Finance and Procurement Article, the Department of Assessments and Taxation shall contract with a public or private entity to audit the assessed value of personal property subject to the personal property tax under the Tax – Property Article. A report on the findings of the audit shall be submitted to the General Assembly, in accordance with § 2–1246 of the State Government Article, by December 31, 2016. The Governor shall include sufficient funds in the State budget for the Department to cover the costs of procuring the audit, not to exceed \$5,000,000. The Governor may introduce a deficiency appropriation during the 2016 regular session of the General Assembly to cover the cost of the audit.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect contingent on the Board of Public Works approving the procurement contract required under Section 2 of this Act on or before April 1, 2016. If the Board of Public Works does not approve the procurement contract required under Section 2 of this Act on or before April 1, 2016, this Act, with no further action required by the General Assembly, shall be null and void and of no further force and effect.

SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this Act, this Act shall take effect June 1, 2015.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 592 – The President (By Request – Administration) and Senators Astle, Bates, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Klausmeier, Mathias, Norman, Ready, Reilly, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Income Tax – Subtraction Modification – Military Retirement Income

SB0592/919632/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 592

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Senators” insert “Peters.”; in the same line, strike “and Waugh” and substitute “Waugh, Currie, DeGrange, Manno, McFadden, and Muse”; in line 2, after the second “Income” insert “– Individuals at Least 65 Years Old”; strike beginning with “for” in line 3 down through “income;” in line 4, and substitute “a subtraction modification under the State income tax for certain military retirement income for individuals who are at least a certain age; providing for the application of this Act;”; and in line 5, strike “a subtraction modification for military” and substitute “the State income taxation of certain”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 29, inclusive, and substitute:

“(2) The subtraction under subsection (a) of this section includes:

(I) IF, ON THE LAST DAY OF THE TAXABLE YEAR, THE INDIVIDUAL IS UNDER THE AGE OF 65 YEARS, THE FIRST \$5,000 OF MILITARY RETIREMENT INCOME RECEIVED BY AN INDIVIDUAL DURING THE TAXABLE YEAR; AND

(II) IF, ON THE LAST DAY OF THE TAXABLE YEAR, THE INDIVIDUAL IS AT LEAST 65 YEARS OLD, the first [\$5,000] \$10,000 of military retirement income received by an individual during the taxable year.”;

and in line 31, after “2015” insert “, and shall be applicable to all taxable years beginning after December 31, 2014”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #17

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 488 – Senators King, Feldman, and Peters

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

SB0488/699630/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 488

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Peters” and substitute “Peters, Currie, Ferguson, Guzzone, Kasemeyer, Madaleno, Manno, and McFadden”.

AMENDMENT NO. 2

On page 2, in lines 13 and 25, in each instance, strike “[\$4,500,000] **\$5,000,000** for any calendar year” and substitute “:

1. \$5,000,000 IN CALENDAR YEAR 2015;

2. \$5,500,000 IN CALENDAR YEAR 2016;

3. \$6,000,000 IN CALENDAR YEAR 2017;

4. \$6,500,000 IN CALENDAR YEAR 2018; AND

5. \$7,000,000 IN CALENDAR YEAR 2019 AND EACH CALENDAR YEAR THEREAFTER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 490 – Senators King, Feldman, Kagan, Lee, Madaleno, Manno, Montgomery, and Raskin

AN ACT concerning

Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms

SB0490/479336/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 490

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, Currie, Guzzone, and Peters”.

AMENDMENT NO. 2

On page 2, in line 7, strike “STUDENT” and substitute “FULL-TIME EQUIVALENT”; strike in their entirety lines 25 and 26; in lines 27 and 28, strike “(II)” and “(III)”, respectively, and substitute “(I)” and “(II)”, respectively; and in line 27, after “FUNDS” insert “EQUAL TO THE REQUIRED LOCAL COST-SHARE ESTABLISHED IN ACCORDANCE WITH § 5-301(D)(3) OF THIS SUBTITLE”.

On page 3, in line 11, after “PROGRAM” insert “THAT ALLOCATE FUNDS BASED ON EACH ELIGIBLE COUNTY BOARD’S PROPORTIONATE SHARE OF THE TOTAL FULL-TIME EQUIVALENT ENROLLMENT OF THE COUNTY BOARDS THAT ARE ELIGIBLE TO PARTICIPATE IN THE PROGRAM”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 134 – Senators Edwards, DeGrange, Eckardt, Hershey, Jennings, King, Manno, Mathias, and Miller

AN ACT concerning

Open Space Incentive Program – Payments to Counties

Senator Edwards moved, duly seconded, to place **Senate Bill 134** on second reading.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0134/809131/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 134

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “park;” in line 6 and substitute “prohibiting a county from receiving certain revenues derived from a State forest or park reserve within a county if the county receives a certain payment in a fiscal year; prohibiting a county from receiving certain revenues derived from concession operations within a State forest or park if the county receives a certain payment in a fiscal year.”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 13 on page 3 through line 7 on page 4, inclusive.

On page 4, after line 7, insert:

“(g) (1) Subject to [paragraph] PARAGRAPHS (3) AND (4) of this subsection, the Fund may be used only for:

(i) 1. Purchasing and managing in the name of the State lands suitable for forest culture, reserves, watershed protection, State parks, scenic preserves, historic monuments, parkways, and State recreational reserves; and

2. Helping to offset the costs to the Forest and Park Service for developing and implementing a forest health emergency contingency program under § 5–307 of this title;

(ii) Subject to [paragraph] PARAGRAPHS (2) AND (4) of this subsection, payments to counties in the amount of:

1. If the State forest or park reserve comprises less than 10% of the total land area of the county, a sum equal to 15% of the revenue derived from the State forest or park reserve located in that county; and

2. If the State forest or park reserve comprises 10% or more of the total land area of the county, a sum equal to 25% of the revenue derived from the State forest or park reserve located in that county; and

(iii) Administrative costs calculated in accordance with § 1–103(b)(2) of this article.

(2) For fiscal years 2012 and 2013 only, the payments under paragraph (1)(ii) of this subsection shall be based only on the revenue derived from sales of timber.

(3) From revenues described in subsection (f) of this section that are attributable to Maryland Park Service operations, the Governor shall include in the State budget an appropriation for the Maryland Park Service equal to:

(i) At least 60% of the revenues, for fiscal year 2016;

(ii) At least 80% of the revenues, for fiscal year 2017; and

(iii) 100% of the revenues, for fiscal year 2018 and each fiscal year thereafter.

(4) A COUNTY MAY NOT RECEIVE A PAYMENT UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION IN A FISCAL YEAR IF THE COUNTY RECEIVES A PAYMENT FROM THE STATE UNDER § 6.5–201 OF THE TAX – PROPERTY ARTICLE IN THE SAME FISCAL YEAR.”

On page 5, strike in their entirety lines 13 through 29, inclusive.

On page 5, after line 29, insert:

“(g) (1) Except as provided in paragraph (2) of this subsection, the Account shall be used only for:

(i) The maintenance and operation of concession operations;

(ii) The function of State forests and parks to the extent of the projected balance of the Account from the prior fiscal year; and

(iii) Administrative costs calculated in accordance with § 1–103(b)(2) of this article.

(2) (i) Subject to [subparagraph] SUBPARAGRAPHS (ii) AND (III) of this paragraph, each county in which any State forest or park is located shall be paid annually out of the Account:

1. If the State forest or park reserve comprises less than 10% of the total land area of the county, a sum equal to 15% of the net revenue derived from concession operations within a State forest or park located in that county; or

2. If the State forest or park reserve comprises 10% or more of the total land area of the county, a sum equal to 25% of the net revenue derived from concession operations within a State forest or park located in that county.

(ii) For fiscal years 2012 and 2013 only, the payments under subparagraph (i) of this subsection may not be made.

(III) A COUNTY MAY NOT RECEIVE A PAYMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN A FISCAL YEAR IF THE COUNTY RECEIVES A PAYMENT FROM THE STATE UNDER § 6.5–201 OF THE TAX – PROPERTY ARTICLE IN THE SAME FISCAL YEAR.”

AMENDMENT NO. 4

On page 9, in line 12, strike “PARAGRAPH (3)” and substitute “PARAGRAPHS (3) AND (4)”; in line 18, after “(3)” insert “A COUNTY MAY NOT RECEIVE A PAYMENT IN

ACCORDANCE WITH THIS SECTION UNLESS THE COUNTY HAS AT LEAST 6 UNITS OF OPEN SPACE.

(4)".

The preceding 4 amendments were read and adopted.

Senator Kagan moved, duly seconded, to make the Bill a Special Order for April 1, 2015.

The motion was rejected.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #18

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 82 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Free-Play Pinball Machines – Placement Restrictions –
Repeal
MC 2-15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 203 – Delegate Beidle

AN ACT concerning

Vehicle Laws – Title Fees – Rental Vehicles

HB0203/829438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 203
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 4 down through “Assembly;” in line 7.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 through 25, inclusive; and in line 26, strike “5.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1233 – ~~Delegate Walker~~ Delegates Walker, Hixson, Turner, Kaiser, Luedtke, Afzali, D. Barnes, Buckel, Fennell, Hornberger, C. Howard, Long, Metzgar, Patterson, Platt, Reilly, Simonaire, Shoemaker, Tarlau, A. Washington, and M. Washington

AN ACT concerning

Tax Amnesty Program

HB1233/649039/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1233

(Third Reading File Bill)

On page 3, strike beginning with “(i)” in line 17 down through “(ii)” in line 19; and in lines 20 and 23, strike “1.” and “2.”, respectively, and substitute “(i)” and “(ii)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 664)

ADJOURNMENT

At 12:25 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 27, 2015, Calendar Day, Wednesday, April 1, 2015.

Annapolis, Maryland
Legislative Day: March 27, 2015
Calendar Day: Wednesday, April 1, 2015
10:00 A.M. Session

The Senate met at 10:11 A.M.

Prayer by Reverend Doctor Amy Richter, St. Anne's Episcopal Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of March 26, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 667)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 513 – Senator Nathaniel J. McFadden:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Attman's Delicatessen
in recognition of
being the oldest family owned and managed
business in the United States and your
100th Anniversary in Baltimore City.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 1st day of April 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 668)

Senate Resolution No. 150 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Frederick Douglass High School Football Team
in recognition of
your winning the 2A Maryland State Championship and for your perfect 14–0 season. We
applaud your outstanding season and wish you many more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 1st day of April 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 669)

Senate Resolution No. 514 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Aaron Cook
in recognition of
being honored on Arbor Day as the 2015 Maryland State Tree Farm Inspector of the Year.
Thank you for your outstanding dedication in protecting the trees,
forests and natural beauty of our State.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 1st day of April 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 670)

Senate Resolution No. 506 – Senator Adelaide C. Eckardt:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Cory A. Boltz
Mardela Middle and High School Music Teacher
in recognition of
your receiving a 2015 Maryland Music Educators Association Award for Excellence
through your devotion to educating student to have a strong and complete music
education.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 1st day of April 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 671)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #53

Senate Bill 134 – Senators Edwards, DeGrange, Eckardt, Hershey, Jennings, King, Manno, Mathias, and Miller

AN ACT concerning

Open Space Incentive Program – Payments to Counties

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 672)

The Bill was then sent to the House of Delegates.

Senate Bill 488 – Senators King, Feldman, ~~and Peters~~ Peters, Currie, Ferguson, Guzzone, Kasemeyer, Madaleno, Manno, and McFadden

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 673)

The Bill was then sent to the House of Delegates.

Senate Bill 490 – Senators King, Feldman, Kagan, Lee, Madaleno, Manno, Montgomery, ~~and Raskin~~ Raskin, Currie, Guzzone, and Peters

AN ACT concerning

Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 674)

The Bill was then sent to the House of Delegates.

Senate Bill 590 – The President (By Request – Administration) and Senators Bates, Eckardt, Edwards, Hershey, Hough, Jennings, Klausmeier, Muse, Norman, Ready, Reilly, Salling, Serafini, Simonaire, ~~and Waugh~~ Waugh, Brochin, and Peters

AN ACT concerning

Small Business Personal Property Tax Relief Act of 2015

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 675)

The Bill was then sent to the House of Delegates.

Senate Bill 592 – The President (By Request – Administration) and Senators Peters, Astle, Bates, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Klausmeier, Mathias, Norman, Ready, Reilly, Salling, Serafini, Simonaire, and Waugh Waugh, Currie, DeGrange, Manno, McFadden, and Muse

AN ACT concerning

Income Tax – Subtraction Modification – Military Retirement Income – Individuals at Least 65 Years Old

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 676)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #5

House Bill 82 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Free-Play Pinball Machines – Placement Restrictions –
Repeal
MC 2-15**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 677)

The Bill was then sent to the House of Delegates.

House Bill 203 – Delegate Beidle

AN ACT concerning

Vehicle Laws – Title Fees – Rental Vehicles

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 678)

The Bill was then sent to the House of Delegates.

House Bill 1233 – ~~Delegate Walker~~ Delegates Walker, Hixson, Turner, Kaiser, Luedtke, Afzali, D. Barnes, Buckel, Fennell, Hornberger, C. Howard, Long, Metzgar, Patterson, Platt, Reilly, Simonaire, Shoemaker, Tarlau, A. Washington, and M. Washington

AN ACT concerning

Tax Amnesty Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 679)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE

BILL: HB 0070

SPONSOR: The Spkr (Admin)

SUBJECT: Budget – Fiscal Year 2016

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair
Delegate Jones
Delegate Gaines
Delegate Kaiser
Delegate Zucker

In addition, the House has appointed in advisory capacity: Delegates Proctor, Beitzel, Haynes and A. Miller

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0070
SPONSOR: The Spkr (Admin)
SUBJECT: Budget – Fiscal Year 2016

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate McIntosh, Chair
Delegate Jones
Delegate Gaines
Delegate Kaiser
Delegate Zucker

In addition, the House has appointed in advisory capacity: Delegates Proctor, Beitzel, Haynes and W. Miller.

The Senate appoints:
Senator Kasemeyer, Chair
Senator Madaleno

Senator DeGrange
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Peters, Serafini and Currie.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0072

SPONSOR: The Spkr (Admin)

SUBJECT: Budget Reconciliation and Financing Act of 2015

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair
Delegate Jones
Delegate Gaines
Delegate Hammen
Delegate Haynes

In addition, the House has appointed in advisory capacity: Delegates Proctor, Beitzel, Hixson and B. Barnes

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0072

SPONSOR: The Spkr (Admin)

SUBJECT: Budget Reconciliation and Financing Act of 2015

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chair

Delegate Jones

Delegate Gaines

Delegate Hammen

Delegate Haynes

In addition, the House has appointed in advisory capacity: Delegates Proctor, Beitzel, Hixson and B. Barnes

The Senate appoints:

Senator Kasemeyer, Chair

Senator Madaleno

Senator McFadden

Senator DeGrange

Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Peters, King, Currie and Serafini.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 20	Sen. Hershey	Kent County – Board of Elections – Membership
SB 185	Sen. McFadden	Hghr Ed – Workforce Shtg Stdt Asstnce Grants for Cld Care Prvdrs – Hattie N. Harrison Mem Schlp
SB 193	Sen. Bates	Elec Law – Loc Petitns – Adv Detrm of Suffency of Loc Law or Chrtr Amdt Summary
SB 222 (Emerg)	The President	Annual Curative Bill
SB 223 (Emerg)	The President	Annual Corrective Bill
SB 225	Sen. Reilly	Higher Education – Unaccompanied Homeless Youth Tuition Exemption – Modification
SB 466	Sen. Klausmeier	Baltimore County – Education – Junior Reserve Officer Training Corps Instructors

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 257 – ~~Delegates Szeliga, Impallaria, and McDonough~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Property Tax Credit – Homes Near a Refuse Disposal System

FOR the purpose of authorizing the governing body of Baltimore County to grant a credit against the county property tax for certain owner-occupied residential real property within a certain proximity to a certain refuse disposal system under certain conditions; prohibiting the governing body of Baltimore County from granting a credit for taxable years beginning after a certain date; defining a certain term; providing for the application of this Act; and generally relating to a property tax credit for certain residential real property in proximity to a certain refuse disposal system in Baltimore County.

BY adding to

Article – Tax – Property

Section 9-305(e)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 686 – Delegates C. Wilson, Afzali, Beidle, Bromwell, Brooks, Carozza, Chang, Davis, Dumais, Hill, S. Howard, Kramer, Lam, McConkey, McDonough, McKay, O'Donnell, Otto, Proctor, Reznik, Smith, Sophocleus, ~~and Vogt~~ Vogt, D. Barnes, Buckel, Ebersole, Fennell, Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Metzgar, Patterson, Platt, Reilly, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

Income Tax Checkoff – Maryland Veterans Trust Fund

FOR the purpose of establishing a certain income tax checkoff system for voluntary contributions to the Maryland Veterans Trust Fund; requiring the Comptroller to include a checkoff on the individual income tax return; providing that the income tax checkoff system include a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff system; providing that the Fund may consist of certain contributions from the income tax checkoff system and certain other money; providing for the application of this Act; and generally relating to an income tax checkoff system for contributions to the Maryland Veterans Trust Fund.

BY adding to

Article – Tax – General

Section 2-115 and 10-804(l)

Annotated Code of Maryland

(2010 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–913(e), (f), (h), and (i)
Annotated Code of Maryland
(2014 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–913(g)
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Rules.

House Bill 1287 – Delegate O’Donnell

AN ACT concerning

**Tidal Fisheries Advisory Commission and Sport Fisheries Advisory Commission
– Membership**

FOR the purpose of altering the composition of the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission; requiring the Governor, with the advice of the Secretary of Natural Resources, to appoint a ~~member of the Maryland Shellfish Growers Association~~ representative of the aquaculture industry in the State to both the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission; providing for the terms of the membership of the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission; making certain stylistic changes; and generally relating to the membership of the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission in the Department of Natural Resources.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 1–102(c)(1) and (3) through (6)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–204(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #32**

CONSENT CALENDAR #51

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 117	FAV	Carroll County Delegation	Carroll County – Alcoholic Beverages – Hours of Sale on Sundays for Holders of Class A Licenses
HB 183	FAV	Baltimore County Delegation	Baltimore County Code of Public Local Laws – 2015 Edition – Legalization
HB 187	FAV	Del. Arentz	Cecil Co and Queen Anne’s Co – Intergovernmental Cooperation and Acceptance of Funds
HB 242	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Multiple Event Licenses and Promoter’s License
HB 246	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Notice for License Applications, Fees, and Inspectors
HB 275	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Special Class C (Retirement Center) License
HB 447	FAV	Anne Arundel County Delegation	City of Annapolis – Alcoholic Beverages – Election Days

HB 515	FAV	Allegany County Delegation	Alcoholic Beverages – Allegany County – Class B–MB (Micro–Brewery/Restaurant) License
HB 523	FAV	Del. Beitzel	Alcoholic Beverages – Garrett County – Multiple Event License
HB 544	FAV	Calvert County Delegation	Calvert County – Alcoholic Beverages – Bottle Clubs
HB 616	FAV	St. Mary’s County Delegation	St. Mary’s County – Animal Regulations
HB 689	FAV	Del. Carozza	Worcester County – Alcoholic Beverages – Limited Distillery License
HB 794	FAV	Washington County Delegation	Washington County – Liquor Tasting License
HB 795	FAV	Washington County Delegation	Washington County – Board of License Commissioners – Expungement of Violations
HB 797	FAV	Washington County Delegation	Alcoholic Beverages – Washington County – Population Ratio Quota
HB 801	FAV	Washington County Delegation	Washington County – Alcoholic Beverages – Conversion of Class P Licenses
HB 836	FAV	Washington County Delegation	Washington Co – Alc Bevs – Wine Tasting License for Class B License Holders – Repeal
HB 848	FAV	Anne Arundel County Delegation	Anne Arundel County Public Schools Funding Accountability and Transparency Act

HB 877	FAV	Del. Jacobs	Kent County – Alcoholic Beverages – Class B Wine Shop and Lounge License
HB 1039	FAV	Wicomico County Delegation	Wicomico County – Alcoholic Beverages – Micro–Breweries – Annual Production Limit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #33**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 906 – Senator Mathias

AN ACT concerning

**Somerset County – Alcoholic Beverages – Selling Near Schools, Places of
Worship, Public Libraries, and Youth Centers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 921 – Senator Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – Penalties for Sales to Underage Persons

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 940 – Senator Conway**EMERGENCY BILL**

AN ACT concerning

**Residential Child Care Programs – Statement of Need – Exception for
Relocation****SB0940/844430/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 940**(First Reading File Bill)**

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and Salling”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #23

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 832 – Senators Madaleno, Feldman, Klausmeier, Manno, Middleton,
and Pugh**

AN ACT concerning

**Commission on the Long-Term Care Medical Assistance Program Eligibility
Determination Process****SB0832/997374/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 832**(First Reading File Bill)**

On page 1, in the sponsor line, strike “and Pugh” and substitute “Pugh, Kelley, Benson, Reilly, Mathias, Jennings, and Hershey”.

On page 2, in line 20, strike “seven” and substitute “eight”; in line 29, strike “and”; and in line 30, after “Maryland” insert “; and”

(viii) one representative of the Maryland Chapter of the National Academy of Elder Law Attorneys”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 853 – Senators Young and Montgomery

AN ACT concerning

Ethan Saylor Center for Self-Advocates as Educators

SB0853/527379/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 853

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Montgomery” and substitute “Montgomery, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly”; in lines 2, 3, 4, 13, and 15, in each instance, strike “Center” and substitute “Alliance”; in line 4, strike “as an independent unit of State government” and substitute “in the Department of Disabilities”; strike beginning with “providing” in line 5 down through “Center” in line 7 and substitute “establishing certain requirements for the Alliance”; strike beginning with “the Governing” in line 7 down through “Center” in line 8 and substitute “a Steering Committee for the Alliance”; in line 8, strike “, chair, and staffing”; in line 9, strike “Governing Board” and substitute “Steering Committee”; in the

same line, strike “appointment and”; in line 10, in each instance, strike “Governing Board” and substitute “Steering Committee”; in line 12, strike “Governing Board” and substitute “Steering Committee”; strike beginning with “requiring” in line 13 down through “year;” in line 14; in line 19, strike “7-101(k)” and substitute “7-101(f) and (k)”; and strike in their entirety lines 22 through 26, inclusive.

On page 2, in line 1, strike “7-505” and substitute “7-504”; and in line 2, strike “Center” and substitute “Alliance”.

AMENDMENT NO. 2

On page 3, in line 3, after “State” insert “, including education, transportation, and health care”;

and after line 7, insert:

“(f) “Developmental disability” means a severe chronic disability of an individual that:

(1) Is attributable to a physical or mental impairment, other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments;

(2) Is manifested before the individual attains the age of 22;

(3) Is likely to continue indefinitely;

(4) Results in an inability to live independently without external support or continuing and regular assistance; and

(5) Reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual.”.

On pages 3 and 4, strike in their entirety the lines beginning with line 12 on page 3 through line 4 on page 4, inclusive.

On page 4, in lines 5, 19, and 22, in each instance, strike “**CENTER**” and substitute “**ALLIANCE**”; strike in their entirety lines 9 and 10 and substitute:

“(B) “ALLIANCE” MEANS THE ETHAN SAYLOR ALLIANCE FOR SELF-ADVOCATES AS EDUCATORS.”;

in line 12, after “INTELLECTUAL” insert “DISABILITIES”; after line 13, insert:

“(D) “DEVELOPMENTAL DISABILITY” HAS THE MEANING STATED IN § 7-101 OF THE HEALTH – GENERAL ARTICLE.”;

strike in their entirety lines 14 and 15; in line 16, strike “7-101(K)” and substitute “7-101”; after line 17, insert:

“(F) “STEERING COMMITTEE” MEANS THE STEERING COMMITTEE FOR THE ETHAN SAYLOR ALLIANCE FOR SELF-ADVOCATES AS EDUCATORS.”;

in line 20, after “EDUCATORS” insert “IN THE DEPARTMENT”; strike beginning with “THE” in line 21 down through “(C)” in line 22; and in lines 23 and 26, in each instance, after “INTELLECTUAL” insert “DISABILITIES”.

On pages 4 through 7, strike beginning with line 28 on page 4 through line 3 on page 7 and substitute:

“(C) THE ALLIANCE SHALL:

(1) BE GUIDED BY THE STEERING COMMITTEE;

(2) BUILD ON THE WORK OF THE COMMISSION FOR EFFECTIVE COMMUNITY INCLUSION OF INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES BY PRIORITIZING THE TRAINING NEEDS OF LAW ENFORCEMENT OFFICERS;

(3) CONNECT LAW ENFORCEMENT TRAINERS WITH:

(I) SELF-ADVOCATE EDUCATORS; OR

(II) ENTITIES THAT USE SELF-ADVOCATE EDUCATORS IN A CENTRAL ROLE WHEN PROVIDING TRAINING;

(4) IDENTIFY AND SUPPORT THE DEVELOPMENT OF SELF-ADVOCATE EDUCATORS;

(5) IDENTIFY RESOURCES NEEDED TO PREPARE AND SUPPORT SELF-ADVOCATE EDUCATORS; AND

(6) PROMOTE COLLABORATIVE EFFORTS THAT SUPPORT COMMUNITY INCLUSION.

On page 7, in line 5, strike “GOVERNING BOARD OF” and substitute “STEERING COMMITTEE FOR”; in the same line, strike “CENTER” and substitute “ALLIANCE”; in line 6, strike “GOVERNING BOARD” and substitute “STEERING COMMITTEE”; in line 7, strike “OF DISABILITIES”; strike beginning with the first “THE” in line 9 down through “DESIGNEE” in line 12 and substitute “THE SUPERINTENDENT OF THE STATE POLICE, OR THE SUPERINTENDENT’S DESIGNEE”; in line 13, strike “(4)” and substitute “(3)”; strike in their entirety lines 15 through 21, inclusive; in line 22, strike “(8)” and substitute “(4)”; in line 24, after “DESIGNEE;” insert “AND”; after line 24, insert:

(5) THE FOLLOWING INDIVIDUALS, APPOINTED BY THE SECRETARY:

and in lines 25 and 26, strike “(9)” and “(10)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 8, strike beginning with “(11)” in line 1 down through “SUPPORTS” in line 2 and substitute “(III) TWO REPRESENTATIVES OF COMMUNITY-BASED ORGANIZATIONS THAT SUPPORT”; in lines 2 and 5, in each instance, after “INTELLECTUAL” and insert “DISABILITIES”; in line 3, strike “AND”; in line 4, strike “(12) SIX” and substitute “(IV) FOUR”; in line 7, after “INTELLECTUAL” insert “DISABILITY”; strike beginning with the comma in line 7 down through “SENATE” in line 8 and substitute “;”

(V) A REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION; AND

(VI) OTHER MEMBERS DEEMED NECESSARY TO CARRY OUT THE WORK OF THE STEERING COMMITTEE;

strike in their entirety lines 9 through 12, inclusive; in line 13, strike “(E)” and substitute “(C)”; in the same line, strike “GOVERNOR” and substitute “SECRETARY”; strike beginning with “SERVES” in line 14 down through “(2)” in line 15; in line 17, strike “(3)” and substitute “(2)”; strike beginning with “BUT” in line 17 down through “TERMS” in line 18; strike in their entirety lines 19 through 22, inclusive; in line 23, strike “(G)” and substitute “(D)”; in the same line, strike “GOVERNING BOARD” and substitute “STEERING COMMITTEE”; in line 25, strike “GOVERNING BOARD” and substitute “STEERING COMMITTEE”; in line 28, strike “(H)” and substitute “(E)”; and in the same line, strike “GOVERNING BOARD” and substitute “STEERING COMMITTEE”.

On page 9, strike in their entirety lines 1 through 10, inclusive, and substitute:

“(1) DEVELOP PARAMETERS FOR THE ALLIANCE, INCLUDING EXPECTED OUTCOMES FOR AND EVALUATION OF THE ALLIANCE;

(2) SELECT ENTITIES TO OPERATE THE ALLIANCE THROUGH A COMPETITIVE PROCESS;

(3) PROVIDE GENERAL OVERSIGHT OF THE ALLIANCE;

(4) APPROVE THE BUDGET FOR THE ALLIANCE;

(5) REVIEW THE ALLIANCE’S ACTIVITIES AND OUTCOMES; AND

(6) DEVELOP RECOMMENDATIONS FOR SUSTAINABILITY AND EXPANSION OF THE ALLIANCE, INCLUDING:

(I) COSTS OF SUSTAINING AND EXPANDING THE ALLIANCE;

(II) POTENTIAL SOURCES OF FUNDING FOR THE ALLIANCE; AND

(III) COMPENSATION AND SUPPORTS FOR SELF-ADVOCATE EDUCATORS.”;

in lines 13 and 17, in each instance, strike “CENTER” and substitute “ALLIANCE”; and strike beginning with “THE” in line 19 down through “COSTS” in line 20 and substitute

“THE OPERATION OF THE ALLIANCE IS SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET”.

On pages 9 and 10, strike in their entirety the lines beginning with line 21 on page 9 through line 7 on page 10, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 915 – Senators Jennings, DeGrange, Manno, Middleton, and Montgomery

AN ACT concerning

**State Personnel – Selection Test Credits – Eligible Volunteer Fire, Rescue, or
Emergency Medical Services Providers**

SB0915/187979/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 915

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Montgomery” and substitute “Montgomery, Astle, Kelley, Feldman, Benson, Reilly, Pugh, Mathias, and Hershey”; and strike in their entirety lines 16 through 20, inclusive, and substitute:

“BY adding to

Article – State Personnel and Pensions

Section 7–207(g)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 5 on page 2 through line 6 on page 3, inclusive, and substitute:

“(G) (1) IN THIS SUBSECTION, “ELIGIBLE VOLUNTEER FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES PROVIDER” MEANS A RESIDENT OF THE STATE WHO IS:

(I) AN ACTIVE MEMBER OF A MARYLAND VOLUNTEER FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ORGANIZATION; AND

(II) QUALIFIED TO RECEIVE A SUBTRACTION MODIFICATION UNDER § 10-208(I-1) OF THE TAX – GENERAL ARTICLE FOR QUALIFYING VOLUNTEER FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES MEMBERS FOR THE FISCAL YEAR IMMEDIATELY PRECEDING THE APPLICATION FOR STATE EMPLOYMENT.

(2) AN APPOINTING AUTHORITY SHALL APPLY A CREDIT ON ANY SELECTION TEST FOR AN ELIGIBLE VOLUNTEER FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES PROVIDER AS FOLLOWS:

(I) FOR AN ELIGIBLE VOLUNTEER FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES PROVIDER WITH 4 YEARS OF ACTIVE SERVICE, A CREDIT OF FOUR POINTS;

(II) AN ADDITIONAL ONE POINT FOR EACH ADDITIONAL YEAR OF ACTIVE SERVICE, UP TO A MAXIMUM OF TEN POINTS FOR 10 OR MORE YEARS OF ACTIVE SERVICE.

(3) AN APPOINTING AUTHORITY SHALL APPLY A CREDIT OF TEN POINTS ON ANY SELECTION TEST FOR THE SURVIVING SPOUSE OF A DECEASED ELIGIBLE VOLUNTEER FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES PROVIDER WHO DIED IN THE LINE OF DUTY.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 917 – Senator DeGrange

AN ACT concerning

Maryland Salvage Advertising Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 756 – Senator Muse

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Foreclosure Relief Act of 2015

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0756/438971/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 756

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “County;” in line 4; in line 5, strike “lender” and substitute “secured party”; in line 6, after “property” insert “located in certain zip codes”; in line 8, after “findings” insert “and recommendations”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 12 through 27, inclusive; and in line 29, strike “mean” and substitute “means”.

AMENDMENT NO. 3

On page 4, in line 1, strike “A” and substitute “In Prince George’s County, a”; in line 2, after “property” insert “located”; and in the same line, strike “Prince George’s County” and substitute “zip codes 20703, 20705, 20706, 20707, 20708, 20710, 20716, 20717, 20720, 20721, 20722, 20735, 20743, 20744, 20745, 20746, 20747, 20748, 20607, 20772, 20774, 20781, 20782, 20783, 20784, and 20785”.

AMENDMENT NO. 4

On page 4, in line 4, before “The” insert “(a)”; in line 5, strike “(a)” and substitute “(1)”; in lines 6, 9, 11, and 13, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively; in line 15, strike “and”; after line 15, insert:

“(2) evaluate the Foreclosure Mediation Program and make recommendations for improvements to the Program to increase the number of foreclosure sales avoided;

“(3) conduct a review and accounting of State and federal foreclosure relief funds and make recommendations on harnessing and targeting the funds for mortgage principal reduction in the zip codes listed in Section 2 of this Act; and

“(4) determine how many homeowners in the zip codes listed in Section 2 of this Act received mortgage principal reductions.”;

in line 16, strike “on” and substitute “On”; in the same line, strike “July 1, 2016,” and substitute “December 1, 2015, the Office of the Attorney General shall”; in line 17, after “findings” insert “and recommendations”; in lines 17 and 18, strike “of the Attorney General”; and strike beginning with “Section” in line 29 down through “effect.” in line 31.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0756/283421/1

BY: Senator Muse

AMENDMENTS TO SENATE BILL 756, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the Judicial Proceedings Committee Amendments (SB0756/438971/1).

On page 1 of the bill, strike beginning with “requiring” in line 3 down through “time” in line 6 and substitute “requiring a secured party that files an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property in Prince George’s County during a certain time period to file a certain notice with the court; requiring a secured party to provide a copy of a certain notice to the Office of the Attorney General”; in line 8, after “findings” insert “and recommendations”; strike beginning with “providing” in line 9 down through “Act;” in line 10; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 3 of the bill, strike in their entirety lines 12 through 27, inclusive; and in line 29, strike “mean” and substitute “means”.

AMENDMENT NO. 3

On page 4 of the bill, strike in their entirety lines 1 and 2 and substitute:

“(b) From June 1, 2015, through December 1, 2015, inclusive, a secured party that files an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property in Prince George’s County shall also file a notice with the court listing:

(1) the number of loan modifications, including mortgage principal reductions, granted by the secured party to homeowners in Prince George’s County during the preceding 6 months;

(2) the number of loan modifications for homeowners in Prince George’s County denied by the secured party during the preceding 6 months; and

(3) the number of foreclosures conducted in Prince George’s County by the secured party during the preceding 6 months.

(c) A secured party shall provide a copy of any notice filed under subsection (b) of this section to the Office of the Attorney General.”.

AMENDMENT NO. 4

On page 4 of the bill, in line 4, before “The” insert “(a)”; in line 5, strike “(a)” and substitute “(1)”; in lines 6, 9, 11, and 13, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively; in line 15, strike “and”; after line 15, insert:

“(2) review the information provided by secured parties under Section 2 of this Act to determine the nature and scope of foreclosure activity in Prince George’s County; and

(3) make findings and recommendations on methods to reduce the number of foreclosure sales and otherwise assist homeowners facing foreclosure in Prince George’s County.”;

in line 16, strike “on” and substitute “On”; in the same line, strike “July 1, 2016,” and substitute “December 1, 2015, the Office of the Attorney General shall”; in line 17, after “findings” insert “and recommendations”; in lines 17 and 18, strike “of the Attorney General” and substitute “made”; and strike beginning with “Section” in line 26 down through “effect.” in line 31.

The preceding 4 amendments were read only.

Senator Jennings moved, duly seconded, to make the Bill and Amendments a Special Order for April 2, 2015.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 680)

ADJOURNMENT

At 11:16 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 28, 2015, Calendar Day, Thursday, April 2, 2015.

Annapolis, Maryland
Legislative Day: March 28, 2015
Calendar Day: Thursday, April 2, 2015
10:00 A.M. Session

The Senate met at 10:06 A.M.

Prayer by Reverend Julia Jarvis, United Church of Christ, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of March 27, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 688)

Citation re: Maryland State Society Daughters of the American Revolution for your volunteer services

Official Citation

Be it hereby known to all that sincerest appreciations are offered to
Maryland State Society Daughters of the American Revolution
In recognition of
your donation of over 25,000 volunteer hours and \$112,000 in goods and services to
Maryland veterans since 2012
presented on this 2nd day of April 2015

Read and ordered journalized.

Affirmative – 45 Negative – 0 (See Roll Call No. 689)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #54

Senate Bill 832 – Senators Madaleno, Feldman, Klausmeier, Manno, Middleton, ~~and Pugh~~ Pugh, Kelley, Benson, Reilly, Mathias, Jennings, and Hershey

AN ACT concerning

Commission on the Long-Term Care Medical Assistance Program Eligibility Determination Process

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 690)

The Bill was then sent to the House of Delegates.

Senate Bill 853 – Senators Young ~~and Montgomery~~, Montgomery, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Ethan Saylor ~~Center~~ Alliance for Self-Advocates as Educators

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 691)

The Bill was then sent to the House of Delegates.

Senate Bill 906 – Senator Mathias

AN ACT concerning

Somerset County – Alcoholic Beverages – Selling Near Schools, Places of Worship, Public Libraries, and Youth Centers

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 692)

The Bill was then sent to the House of Delegates.

Senate Bill 915 – Senators Jennings, DeGrange, Manno, Middleton, ~~and Montgomery~~ Montgomery, Astle, Kelley, Feldman, Benson, Reilly, Pugh, Mathias, and Hershey

AN ACT concerning

**State Personnel – Selection Test Credits – Eligible Volunteer Fire, Rescue, or
Emergency Medical Services Providers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 693)

The Bill was then sent to the House of Delegates.

Senate Bill 917 – Senator DeGrange

AN ACT concerning

Maryland Salvage Advertising Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 694)

The Bill was then sent to the House of Delegates.

Senate Bill 921 – Senator Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – Penalties for Sales to Underage Persons

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 695)

The Bill was then sent to the House of Delegates.

Senate Bill 940 – ~~Senator Conway~~ Senators Conway and Salling

EMERGENCY BILL

AN ACT concerning

**Residential Child Care Programs – Statement of Need – Exception for
Relocation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 696)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #6**CONSENT CALENDAR #3**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 117	Carroll County Delegation	Carroll County – Alcoholic Beverages – Hours of Sale on Sundays for Holders of Class A Licenses	EHE
HB 183	Baltimore County Delegation	Baltimore County Code of Public Local Laws – 2015 Edition – Legalization	EHE
HB 187	Del. Arentz	Cecil Co and Queen Anne’s Co – Intergovernmental Cooperation and Acceptance of Funds	EHE
HB 242	Frederick County Delegation	Frederick County – Alcoholic Beverages – Multiple Event Licenses and Promoter’s License	EHE
HB 246	Frederick County Delegation	Frederick County – Alcoholic Beverages – Notice for License Applications, Fees, and Inspectors	EHE
HB 275	Frederick County Delegation	Frederick County – Alcoholic Beverages – Special Class C (Retirement Center) License	EHE
HB 447	Anne Arundel County Delegation	City of Annapolis – Alcoholic Beverages – Election Days	EHE
HB 515	Allegany County Delegation	Alcoholic Beverages – Allegany County – Class B–MB (Micro–Brewery/Restaurant) License	EHE
HB 523	Del. Beitzel	Alcoholic Beverages – Garrett County – Multiple Event License	EHE

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 544	Calvert County Delegation	Calvert County – Alcoholic Beverages – Bottle Clubs	EHE
HB 616	St. Mary’s County Delegation	St. Mary’s County – Animal Regulations	EHE
HB 689	Del. Carozza	Worcester County – Alcoholic Beverages – Limited Distillery License	EHE
HB 794	Washington County Delegation	Washington County – Liquor Tasting License	EHE
HB 795	Washington County Delegation	Washington County – Board of License Commissioners – Expungement of Violations	EHE
HB 797	Washington County Delegation	Alcoholic Beverages – Washington County – Population Ratio Quota	EHE
HB 801	Washington County Delegation	Washington County – Alcoholic Beverages – Conversion of Class P Licenses	EHE
HB 836	Washington County Delegation	Washington Co – Alc Bevs – Wine Tasting License for Class B License Holders – Repeal	EHE
HB 848	Anne Arundel County Delegation	Anne Arundel County Public Schools Funding Accountability and Transparency Act	EHE
HB 877	Del. Jacobs	Kent County – Alcoholic Beverages – Class B Wine Shop and Lounge License	EHE

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 1039	Wicomico County Delegation	Wicomico County – Alcoholic Beverages – Micro–Breweries – Annual Production Limit	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 3 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 697)

The Bills were then sent to the House of Delegates.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 13	Sen. Conway	Institutions of Higher Education – Fully Online Distance Education – Definition
SB 25 (Emerg)	Sen. Young	Frederick Center for Research and Education in Science and Technology
SB 60	Chair, Judicial Proceedings Committee	Clerks of the Circuit Courts – Collection of Appearance Fees
SB 61	Chair, Judicial Proceedings Committee	Active Armed Forces Member – Exemption From Payment of Fees for Certain Court Records
SB 62	Chair, Judicial Proceedings Committee	Clerks of the Circuit Courts – Water and Sewer Lien Registers – Fees

SB 76	Sen. Peters	State Retirement and Pension System – Noncontributory Pension Benefit – Definition
SB 87	Chair, Judicial Proceedings Committee	Criminal Procedure – Transfer to Juvenile Court – Petition for Expungement
SB 97	Sen. Norman	Election Law – Counting of Properly Cast Ballots
SB 102	Sen. Peters	State Retirement and Pension System – Accumulated Contributions of Nonvested Former Members
SB 104	Sen. Peters	Correctional Officers’ Retirement System – Membership and Eligibility for Retirement
SB 264	Sen. Miller	Circuit Court for Calvert County – Fees for Appearance of Counsel
SB 286	Sen. Manno	Law Enforc Officers’ Pnsn Sys – Div of Parole and Prob – Warrant Apprehension Unit Empls – Mbrshp
SB 364	Sen. Kasemeyer	Alternate Contributory Pension Selection – Return to Employment
SB 432	Sen. Peters	Employees’ and Teachers’ Pension Systems – Combination of Service – Clarification
SB 442	Sen. Eckardt	Employees’ Pension System – Dorchester County Sanitary Commission – Eligible Governmental Unit
SB 496	Sen. Rosapepe	Maryland College Education Export Act of 2015
SB 498	Sen. Montgomery	Public Safety – Statewide Accounting of Sexual Assault Evidence Kits
SB 602 (Emerg)	Sen. Miller	Justice Reinvestment Coordinating Council
SB 685	Sen. Benson	Family Law – Information and Services for Foster Children and Former Foster Children

SB 726 Sen. Bates Employees' Pension System – Town of Sykesville –
Service Credit

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 489 – Delegates A. Miller, Barkley, Beidle, Chang, Dumais, Fraser-Hidalgo, Frush, Hixson, Jalisi, Kelly, Lam, Moon, Morhaim, Pena-Melnyk, Platt, S. Robinson, Rosenberg, M. Washington, C. Wilson, and K. Young

AN ACT concerning

Electronic Cigarettes – Sale to Minors – Components, Supplies, and Enforcement

FOR the purpose of clarifying that the prohibition against selling, distributing, or offering for sale a certain electronic device to a minor that can be used to deliver nicotine includes any component for the device or product used to refill or resupply the device; clarifying that the exception to the prohibition for devices approved by the United States Food and Drug Administration applies only to devices for sale as a certain tobacco cessation product; changing a violation of the prohibition from a misdemeanor to a civil infraction; establishing certain civil penalties; providing that a sworn law enforcement officer, county health officer, or a designee of a county health officer may issue a certain civil citation for a violation of this Act; providing requirements for processing a certain citation; providing for a certain election to stand trial; ~~authorizing a certain prosecution; authorizing the District Court to access certain costs;~~ requiring the District Court to remit certain collected penalties in a certain manner; clarifying that the adjudication of a violation of this Act is not a criminal conviction for any purpose; defining a certain term; and generally relating to electronic cigarettes.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–305
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 2 – FISCAL YEAR 2016

(See Exhibit I of Appendix III)

Supplemental Budget No. 2 was read and referred to the Committee on Budget and Taxation.

CONCURRENCE CALENDAR #1

AMENDED IN THE HOUSE

Senate Bill 243 – Senators Feldman, Benson, Currie, Guzzone, King, Madaleno, Manno, McFadden, Ramirez, and Rosapepe

AN ACT concerning

State Personnel and Procurement – Service Contracts – Reporting and Audit Requirements

Senator Middleton moved that the Senate concur in the House amendment.

SB0243/614863/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 243

(Third Reading File Bill)

On page 1, strike beginning with “requiring” in line 11 down through “contracts;” in line 12.

On page 4, in line 16, strike “(I)”; and strike in their entirety lines 21 through 23, inclusive.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 698)

CONCURRENCE CALENDAR #2

AMENDED IN THE HOUSE

Senate Bill 521 – Senators Lee, Feldman, Guzzone, Kagan, King, Klausmeier, Montgomery, Nathan–Pulliam, Peters, Pinsky, Raskin, and Simonaire

AN ACT concerning

Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking

Senator Zirkin moved that the Senate concur in the House amendment.

SB0521/282513/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 521

(Third Reading File Bill)

On page 2, strike in its entirety line 27 and substitute:

“(viii) one educator who works in a student service capacity and who is nominated by the Maryland State Education Association;”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 699)

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #34

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 595 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Hershey, Hough, Jennings, Klausmeier, Ready, Reilly, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Public Charter School Expansion and Improvement Act of 2015

SB0595/794139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 595

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Expansion and”.

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 8 on page 2, inclusive.

On page 2, after line 8, insert:

“FOR the purpose of requiring certain public charter schools to take certain steps to maintain a certain ratio as part of the initial cohort of students in a certain grade; authorizing certain public charter schools to give certain students seeking to enroll in the public charter school a greater weight to the student’s lottery status as part of the public charter school’s admissions lottery; authorizing certain public charter schools to give priority to certain siblings for certain spaces at certain public charter schools; authorizing certain public charter schools to provide certain guaranteed placement to certain students; authorizing certain public charter schools to propose a certain geographic attendance area and certain guaranteed placement plan, subject to the approval of the public chartering authority, under certain circumstances; authorizing certain public charter schools to admit certain students under certain circumstances; authorizing certain county boards of education to grant certain waivers to certain converted public charter schools; providing that certain county boards are the only public chartering authorities in the State; repealing a provision of law that establishes the State Board of Education as a secondary public chartering authority; requiring an application to establish a public charter school to include a certain plan for a program of instruction and a certain description of the implementation of a certain weighted lottery or the provision of guaranteed

placement under certain circumstances; prohibiting a public chartering authority from granting a charter to a school that operates fully online; requiring certain county boards of education to review certain applications in accordance with the application procedures adopted by the county board; authorizing certain decisions to be appealed to the State Board in accordance with certain provisions of law; authorizing a public chartering authority to approve certain applications on a contingent basis subject to certain conditions; authorizing a public chartering authority to approve or reject a certain provision of an application separately from the application as a whole; providing that a certain applicant may submit a certain staffing model with a certain application; requiring the State Board to remand to a county board a certain matter under certain circumstances and authorizing the State Board to mediate, if necessary, a certain matter between a county board and a certain public charter school under certain circumstances; requiring the State Board to develop standards and criteria by which certain public charter schools must be assessed; authorizing certain public charter schools to submit to a public chartering authority a certain application for certain consideration; prohibiting certain public charter schools from submitting a certain application more than once during a certain period of time; exempting certain public charter schools from certain policies under certain circumstances; authorizing certain public chartering authorities and certain public charter schools to mutually agree to a certain communication process and supervision methodology; providing that certain public charter schools may not be assigned certain principals without certain consent; providing that certain staff members must be assigned or transferred to certain public charter schools under certain circumstances; specifying that certain provisions of law may not be construed to take precedence over a certain collective bargaining agreement; subjecting certain public charter schools to certain provisions of law, subject to certain exceptions; requiring a member of the professional staff of a public charter school to be subject to certain certification provisions; authorizing certain public charter schools to seek certain waivers under certain circumstances; requiring certain reasons to be provided in writing for the denial of certain waivers; authorizing certain employee organizations, public school employers, and public charter schools to mutually agree to negotiate certain amendments to certain collective bargaining agreements; requiring certain county boards to provide certain policies and updates or amendments to the policies to the State Board; requiring the State Department of Education to report annually to the General Assembly regarding certain updates or amendments to certain policies and the implementation of this Act; requiring the State Department of Education, in consultation with the Department of Legislative Services, to contract for a certain study relating to funding for public charter schools and traditional public schools; requiring the study to include certain elements;

requiring local school systems and public charter schools to provide certain data to complete the study; establishing certain penalties for certain local school systems and public charter schools that do not comply with a certain data reporting requirement; requiring a certain report to the Governor and certain committees of the General Assembly on or before a certain date regarding the study; making certain stylistic changes; altering a certain definition; defining a certain term; and generally relating to public charter schools in the State.”;

strike in their entirety lines 9 through 14, inclusive; in line 17, after “9–101” insert “and 9–109(a)”; after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – Education

Section 9–102, 9–102.1, 9–103 through 9–108, and 9–110

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)”;

in line 22, after “9–102.2” insert “, 9–102.3, and 9–104.1”; and strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 33 on page 2 through line 17 on page 4, inclusive.

On page 4, in line 27, strike “§ 9–102.1” and substitute “**§§ 9–102.1, 9–102.2, AND 9–102.3**”; and strike beginning with “IN” in line 28 down through “TITLE” in line 29.

On page 5, in line 8, strike “**THROUGH ITS GOVERNING BOARD**”; in line 9, strike “§ 9–106” and substitute “**§§ 9–104.1 AND 9–106**”; in lines 14 and 15, in each instance, strike the bracket; strike beginning with “PUBLIC” in line 15 down through “TITLE” in line 16; in line 22, after “space” insert “**AS PART OF THE INITIAL COHORT OF STUDENTS IN A GRADE**”; in line 25, after “shall” insert “**;**”

(1)”;

in the same line, strike “admit” and substitute “**ADMIT**”; and in line 26, after “TITLE” insert “**;** **AND**”

(2) TAKE REASONABLE STEPS TO MAINTAIN THE 35% TO 65% RATIO INTENDED AS PART OF THE INITIAL COHORT OF STUDENTS IN A GRADE.

AMENDMENT NO. 3

On page 6, strike beginning with the colon in line 2 down through “**THE**” in line 3 and substitute “**THE**”; in lines 4, 5, 6, and 7, strike “**(I)**”, “**(II)**”, “**(III)**”, and “**(IV)**”, respectively, and substitute “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively; in line 6, strike “**OR**”; in line 8, after “**ACT;**” insert “**OR**

(5) A SIBLING OF A STUDENT CURRENTLY ENROLLED IN THE PUBLIC CHARTER SCHOOL FOR WHICH THE SIBLING IS APPLYING.”;

strike in their entirety lines 9 through 21, inclusive; and after line 21, insert:

“(B) NOTWITHSTANDING § 9-102(3) OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY GIVE PRIORITY TO THE SIBLING OF A STUDENT ADMITTED THROUGH THE LOTTERY PROCESS OR A CURRENTLY ENROLLED STUDENT FOR ANY SPACES IN THE SCHOOL THAT BECOME AVAILABLE THROUGHOUT THE SCHOOL YEAR.

(C) (1) SUBJECT TO THE APPROVAL OF THE PUBLIC CHARTERING AUTHORITY AND § 9-104 OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY PROPOSE A GEOGRAPHIC ATTENDANCE AREA WITH A MEDIAN INCOME THAT IS EQUAL TO OR LESS THAN THE MEDIAN INCOME OF THE COUNTY FOR THE PUBLIC CHARTER SCHOOL.

(2) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A PUBLIC CHARTER SCHOOL MAY PROVIDE GUARANTEED PLACEMENT THROUGH A LOTTERY TO STUDENTS WHO LIVE WITHIN THE GEOGRAPHIC ATTENDANCE AREA FOR UP TO 35%, AS PROPOSED BY THE PUBLIC CHARTER SCHOOL AND APPROVED BY THE PUBLIC CHARTERING AUTHORITY, OF THE AVAILABLE SPACE OF THE PUBLIC CHARTER SCHOOL.

(3) SUBJECT TO PARAGRAPHS (2) AND (4) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL SHALL:

(I) ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE; AND

(II) TAKE REASONABLE STEPS TO MAINTAIN THE RATIO INTENDED UNDER PARAGRAPH (2) OF THIS SUBSECTION AS PART OF THE INITIAL COHORT OF STUDENTS ACCEPTED THROUGH THE LOTTERY PROCESS.

(4) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL MAY ADMIT MORE THAN THE PERCENTAGE OF STUDENTS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION FROM THE GEOGRAPHIC ATTENDANCE AREA ESTABLISHED UNDER THIS SECTION.

(D) (1) SUBJECT TO THE APPROVAL OF THE PUBLIC CHARTERING AUTHORITY, PARAGRAPH (2) OF THIS SUBSECTION, AND § 9–104 OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY PROVIDE GUARANTEED PLACEMENT THROUGH A LOTTERY TO UP TO 35%, AS PROPOSED BY THE PUBLIC CHARTER SCHOOL AND APPROVED BY THE PUBLIC CHARTERING AUTHORITY, OF THE AVAILABLE SPACE OF THE PUBLIC CHARTER SCHOOL TO STUDENTS WHO ATTENDED A PUBLIC CHARTER SCHOOL DURING THE PREVIOUS SCHOOL YEAR THAT IS OPERATED BY THE SAME OPERATOR.

(2) A PUBLIC CHARTER SCHOOL SHALL QUALIFY UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

(I) THE OPERATOR OPERATES TWO OR MORE PUBLIC CHARTER SCHOOLS IN THE COUNTY; AND

(II) WHEN COMBINED, THE PUBLIC CHARTER SCHOOLS OPERATED BY THE OPERATOR FORM AN INTEGRATED MULTIYEAR ACADEMIC PROGRAM.

(3) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL SHALL:

(I) ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE; AND

(II) TAKE REASONABLE STEPS TO MAINTAIN THE RATIO INTENDED UNDER PARAGRAPH (1) OF THIS SUBSECTION AS PART OF THE INITIAL COHORT OF STUDENTS ACCEPTED THROUGH THE LOTTERY PROCESS.

(4) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER PARAGRAPHS (1) AND (3) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL MAY ADMIT MORE THAN THE PERCENTAGE OF STUDENTS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

AMENDMENT NO. 4

On page 6, before line 22, insert:

“9-102.3.

(A) A COUNTY BOARD MAY GRANT A WAIVER FROM § 9-102(3) OF THIS TITLE TO:

(1) A CONVERTED PUBLIC CHARTER SCHOOL THAT:

(i) SUBJECT TO SUBSECTION (B) OF THIS SECTION, PROVIDES GUARANTEED PLACEMENT THROUGH A LOTTERY TO STUDENTS WHO LIVE WITHIN THE GEOGRAPHIC ATTENDANCE AREA ESTABLISHED BY THE COUNTY BOARD;

(ii) IS A LOW-PERFORMING SCHOOL AS IDENTIFIED BY THE COUNTY BOARD;

(iii) IS ABOVE THE COUNTY AVERAGE RATE FOR THE PERCENTAGE OF STUDENTS WHO ARE ELIGIBLE FOR FREE AND REDUCED PRICE MEALS; AND

(iv) MEETS A STRATEGIC NEED OF THE LOCAL SCHOOL SYSTEM, AS IDENTIFIED IN THE COUNTY BOARD’S PUBLIC CHARTER SCHOOL POLICY DEVELOPED UNDER § 9-110 OF THIS TITLE, THAT SHALL INCLUDE AT LEAST ONE OF THE FOLLOWING ELEMENTS:

1. SERVING A HIGH-NEED POPULATION;

2. INCREASING STUDENT PERFORMANCE;

3. INCREASING ENROLLMENT; OR

4. INCREASING STUDENT DIVERSITY; OR

(2) A CONVERTED PUBLIC CHARTER SCHOOL THAT IS SEEKING RENEWAL OF AN EXISTING CHARTER CONTRACT THAT WAS GRANTED UNDER ITEM (1) OF THIS SUBSECTION.

(B) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER SUBSECTION (A)(1) OF THIS SECTION, THE PUBLIC CHARTER SCHOOL SHALL ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE.”;

in line 23, strike “(a)”; in the same line, strike “primary”; and strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 5

On page 7, in line 17, strike “**FROM THE STATE BOARD**”; in the same line, after “**TITLE;**” insert “**AND**”; in line 18, after “**LOTTERY**” insert “**OR THE PROVISION OF GUARANTEED PLACEMENT**”; in line 19, strike “**§ 9–102.2**” and substitute “**§§ 9–102.2 AND 9–102.3**”; and strike beginning with “**THAT**” in line 19 down through “**ACT**” in line 27.

On page 8, in line 1, strike “or”; in line 2, after “school” insert “**; OR**”

(IV) A SCHOOL THAT OPERATES FULLY ONLINE”;

in line 5, after “application” insert “**AND IN ACCORDANCE WITH THE APPLICATION PROCEDURES ADOPTED BY THE COUNTY BOARD**”; in line 6, strike the brackets; in the same line, strike “**CONVERTED**”; in lines 12 and 14, in each instance, after “the” insert “**DECISION MAY BE APPEALED TO THE**”; in the same lines, in each instance, strike “may become a chartering authority” and substitute “**IN ACCORDANCE WITH § 4–205(C) OF THIS ARTICLE**”; strike in their entirety lines 15 through 17, inclusive; after line 17, insert:

“(6) (I) A PUBLIC CHARTERING AUTHORITY MAY APPROVE AN APPLICATION TO OPERATE A PUBLIC CHARTER SCHOOL ON A CONTINGENT BASIS SUBJECT TO THE CONDITIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(II) THE CONTINGENT APPROVAL GRANTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE CONTINGENT ON:

1. A PUBLIC CHARTER SCHOOL’S ABILITY TO MEET ANY TIMELINES ESTABLISHED BY THE PUBLIC CHARTERING AUTHORITY FOR THE SECURING OF A FACILITY; AND

2. FINAL APPROVAL BY THE PUBLIC CHARTERING AUTHORITY REGARDING THE SUITABILITY OF THE FACILITY SECURED BY THE PUBLIC CHARTER SCHOOL.

(B) IF AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL INCLUDES A DESCRIPTION OF THE IMPLEMENTATION OF A WEIGHTED LOTTERY THAT GIVES PRIORITY TO STUDENTS IN A SPECIFIC GEOGRAPHIC ATTENDANCE AREA IN ACCORDANCE WITH § 9-102.2 OR § 9-102.3 OF THIS TITLE, THE PUBLIC CHARTERING AUTHORITY MAY APPROVE OR REJECT THIS PROVISION SEPARATELY FROM THE APPLICATION AS A WHOLE.

(C) (1) AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL MAY INCLUDE A STAFFING MODEL, INCLUDING PROVISIONS FOR STAFF RECRUITMENT, TRAINING, EVALUATION, AND PROFESSIONAL DEVELOPMENT.

(2) A PUBLIC CHARTER SCHOOL MAY SUBMIT A STAFFING MODEL AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION WITH A RENEWAL APPLICATION OR WITH AN AMENDMENT TO AN EXISTING CHARTER.”;

in line 18, strike “(b)” and substitute “(D)”; in line 21, strike the brackets; in the same line, strike “90”; in line 24, after the second “Board” insert “SHALL REMAND THE MATTER TO THE COUNTY BOARD AND”; and in line 25, strike “shall” and substitute “MAY, IF NECESSARY,”.

AMENDMENT NO. 6

On page 8, after line 26, insert:

“9-104.1.

(A) IN THIS SECTION, “ELIGIBLE PUBLIC CHARTER SCHOOL” MEANS A PUBLIC CHARTER SCHOOL THAT HAS BEEN IN EXISTENCE FOR AT LEAST 5 YEARS AND DEMONSTRATES TO THE PUBLIC CHARTERING AUTHORITY A HISTORY OF:

(1) SOUND FISCAL MANAGEMENT; AND

(2) STUDENT ACHIEVEMENT THAT EXCEEDS THE AVERAGE IN THE LOCAL SCHOOL SYSTEM IN WHICH THE PUBLIC CHARTER SCHOOL IS LOCATED ON:

(I) STATEWIDE ASSESSMENTS; AND

(II) OTHER MEASURES DEVELOPED BY THE STATE BOARD.

(B) THE STATE BOARD SHALL DEVELOP STANDARDS AND CRITERIA BY WHICH AN ELIGIBLE PUBLIC CHARTER SCHOOL SHALL BE ASSESSED BY A PUBLIC CHARTERING AUTHORITY.

(C) (1) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY SUBMIT TO A PUBLIC CHARTERING AUTHORITY:

(I) AN APPLICATION FOR RENEWAL OF AN EXISTING CHARTER CONTRACT THAT INCORPORATES THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION; OR

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN APPLICATION FOR AN ADDENDUM TO AN EXISTING CHARTER CONTRACT THAT INCORPORATES THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION.

(2) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY NOT SUBMIT AN APPLICATION UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION MORE THAN ONE TIME DURING THE DURATION OF AN EXISTING CHARTER CONTRACT.

(D) IF THE PUBLIC CHARTERING AUTHORITY DETERMINES THAT A PUBLIC CHARTER SCHOOL IS NOT AN ELIGIBLE PUBLIC CHARTER SCHOOL, THE PUBLIC CHARTER SCHOOL MAY APPEAL THE DECISION TO THE STATE BOARD IN ACCORDANCE WITH § 4-205(C) OF THIS ARTICLE.

(E) IF AN ELIGIBLE PUBLIC CHARTER SCHOOL AND A PUBLIC CHARTERING AUTHORITY MUTUALLY AGREE TO AN ALTERNATIVE MEANS BY WHICH THE ELIGIBLE PUBLIC CHARTER SCHOOL WILL SATISFY THE INTENT OF THE POLICIES OF THE PUBLIC CHARTERING AUTHORITY, AN ELIGIBLE PUBLIC CHARTER SCHOOL IS EXEMPT FROM:

(1) TEXTBOOK, INSTRUCTIONAL PROGRAM, CURRICULUM, PROFESSIONAL DEVELOPMENT, AND SCHEDULING REQUIREMENTS;

(2) A REQUIREMENT TO ESTABLISH A SCHOOL COMMUNITY COUNCIL;

(3) EXCEPT FOR TITLE I SCHOOLS, A REQUIREMENT TO ESTABLISH A SCHOOL IMPROVEMENT PLAN;

(4) EXCEPT FOR SCHOOLS WITH A SCHOOL ACTIVITY FUND, A REQUIREMENT TO PROVIDE SCHOOL ACTIVITY FUND DISCLOSURE STATEMENTS; AND

(5) EXCEPT FOR PREKINDERGARTEN CLASSES, CLASS SIZE OR STAFFING RATIOS.

(F) A PUBLIC CHARTERING AUTHORITY AND AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY JOINTLY DEVELOP AND MUTUALLY AGREE TO A COMMUNICATION PROCESS AND SUPERVISION METHODOLOGY THAT FLOWS AMONG THE COUNTY BOARD, THE OPERATOR, AND THE ADMINISTRATION OF THE ELIGIBLE PUBLIC CHARTER SCHOOL.

(G) (1) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY NOT BE ASSIGNED A PRINCIPAL WITHOUT THE WRITTEN CONSENT OF THE OPERATOR OF THE ELIGIBLE PUBLIC CHARTER SCHOOL.

(2) (I) STAFF MEMBERS SHALL BE ASSIGNED OR TRANSFERRED TO AN ELIGIBLE PUBLIC CHARTER SCHOOL IF THE STAFF MEMBER EXPRESSES IN WRITING THAT THE STAFF MEMBER WANTS TO WORK IN THAT ELIGIBLE PUBLIC CHARTER SCHOOL AND THE ELIGIBLE PUBLIC CHARTER SCHOOL REQUESTS IN WRITING THAT THE STAFF MEMBER BE ASSIGNED OR TRANSFERRED TO THE ELIGIBLE PUBLIC CHARTER SCHOOL, PROVIDED THERE IS AN EXISTING VACANCY.

(II) A TRANSFER AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL TAKE PLACE AS DESIGNATED BY THE AGREEMENT OF THE LOCAL BARGAINING UNIT IN THE LOCAL SCHOOL SYSTEM.

(H) NOTHING IN THIS SECTION MAY BE CONSTRUED TO TAKE PRECEDENCE OVER AN AGREEMENT OF A LOCAL BARGAINING UNIT IN A LOCAL SCHOOL SYSTEM.

(I) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN ELIGIBLE PUBLIC CHARTER SCHOOL IS SUBJECT TO THE PROVISIONS OF THIS TITLE.”;

and strike beginning with “BE” in line 29 down through “TITLE” in line 31 and substitute “BE SUBJECT TO THE SAME CERTIFICATION PROVISIONS ESTABLISHED IN REGULATIONS FOR THE PROFESSIONAL STAFF OF OTHER PUBLIC SCHOOLS”.

AMENDMENT NO. 7

On page 9, in line 1, strike the bracket; strike beginning with the bracket in line 2 down through “ALL” in line 3; strike in their entirety lines 4 and 5; after line 5, insert:

“(B) SUBJECT TO SUBSECTION (D) OF THIS SECTION, A PUBLIC CHARTER SCHOOL MAY SEEK A WAIVER OF THE REQUIREMENTS UNDER SUBSECTION (A) OF THIS SECTION FROM:

(1) A COUNTY BOARD FOR POLICIES THAT ARE THE POLICIES OF THE COUNTY BOARD; AND

(2) THE STATE BOARD FOR POLICIES THAT ARE THE POLICIES OF THE STATE BOARD.

(C) IF A WAIVER IS DENIED UNDER THIS SECTION, THE COUNTY BOARD OR THE STATE BOARD, AS APPROPRIATE, SHALL PROVIDE THE REASON FOR THE DENIAL IN WRITING TO THE PUBLIC CHARTER SCHOOL.”;

in line 6, strike “(B)” and substitute “(D)”; in line 31, strike “(I)”; in the same line, strike the brackets; and in the same line, strike “MAY BE PUBLIC”.

AMENDMENT NO. 8

On page 10, in lines 1, 4, and 15, in each instance, strike the brackets; in the same lines, strike “(II)”, “(III)”, and “(C)”, respectively; in line 1, strike “MAY BE EMPLOYEES”; strike beginning with “; OR” in line 5 down through “SUBSECTION.” in line 14; strike beginning with “FOR” in line 15 down through “IF” in line 16; in line 18, after “organization” insert “, **PUBLIC SCHOOL EMPLOYER,**”; in line 20, after “school” insert “, **INCLUDING AMENDMENTS TO WORK DAYS, WORK HOURS, SCHOOL YEAR, PROCEDURES FOR TRANSFERS THAT ARE CONSISTENT WITH THE INSTRUCTIONAL MISSION OF THE SCHOOL, AND EXTRA DUTY ASSIGNMENTS**”; strike in their entirety lines 21 through 25, inclusive; in line 27, strike the bracket; and in line 29, strike the bracket.

AMENDMENT NO. 9

On pages 10 through 13, strike in their entirety the lines beginning with line 30 on page 10 through line 2 on page 13, inclusive.

On page 13, in line 5, strike “submit” and substitute “**PROVIDE**”; after line 12, insert:

“(3) THE POLICY REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING ANY UPDATES OR AMENDMENTS MADE TO THE POLICY, SHALL BE PROVIDED TO THE DEPARTMENT AND MADE AVAILABLE ON REQUEST AND POSTED ON THE WEB SITE OF THE COUNTY BOARD.”;

after line 20, insert:

“(II) GATHER INFORMATION FROM PUBLIC CHARTER SCHOOLS IN THE STATE REGARDING INNOVATIVE APPROACHES TO EDUCATION AND BEST PRACTICES TAKING PLACE AT PUBLIC CHARTER SCHOOLS THAT MAY BE SHARED WITH AND DISSEMINATED TO OTHER PUBLIC SCHOOLS IN THE STATE.”;

strike in their entirety lines 21 through 24, inclusive; and after line 24, insert:

“(C) THE DEPARTMENT SHALL REPORT ANNUALLY BY DECEMBER 1 TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE REGARDING:

(1) ANY UPDATES OR AMENDMENTS MADE TO A PUBLIC CHARTER SCHOOL POLICY UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) IMPLEMENTATION OF THIS TITLE.”.

AMENDMENT NO. 10

On pages 13 through 15, strike in their entirety the lines beginning with line 25 on page 13 through line 18 on page 15, inclusive.

On page 15, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The State Department of Education, in consultation with the Department of Legislative Services, shall contract for a study of the amount of funding provided to public charter schools and other public schools by local school systems in the State.

(2) The primary purpose of the study is to calculate the average operating expenditures by each local school system for students enrolled in a public school that is not a public charter school or stand-alone special education school, to be aggregated at the State level to serve as the baseline for determining commensurate funding for all public schools.

(b) The study shall include:

(1) a review of:

(i) the operating expenditures made at the central office level by each county board of education, including expenditures for administration, overhead, systemwide planning and development, and compliance with local, State, and federal requirements including special education, nonpublic placements, separate public day schools, English language learner education, prekindergarten education, teacher pension and retiree health benefits, student transportation, and debt service;

(ii) the aggregate operating expenditures made on behalf of individual schools by each county board of education;

(iii) the amount of funding being provided to public charter schools and other public schools by local school systems;

(iv) the value of services being provided to public charter schools and other public schools by local school systems, including central office expenditures;

(v) the amount of funding provided by public charter schools to any third party, including a charter management organization;

(vi) the availability of federal funding for public charter schools, including options for Maryland to access federal charter school program grants; and

(vii) the potential availability of innovative financing for public charter school facilities that would not directly affect the State operating or capital budget; and

(2) an assessment of the need to collect central office and school level expenditure data on an ongoing basis.

(c) (1) Local school systems and public charter schools shall provide data as requested by the State Department of Education to complete the study.

(2) If a local school system fails to comply with the requirements of paragraph (1) of this subsection, the State Superintendent of Schools, with the approval of the State Board of Education, may notify the Comptroller to withhold 10% of the next installment and each subsequent installment due to the local school system from the State until the State Superintendent notifies the Comptroller that the local school system is in full compliance with the requirements of this section.

(3) If a public charter school fails to comply with the requirements of paragraph (1) of this subsection, as determined by the State Superintendent of Schools, the State Superintendent may notify the local school system to withhold 10% of the next installment and each subsequent installment due to the public charter school from the school system until the State Superintendent notifies the school system that the public charter school is in full compliance with the requirements of this section.

(d) On or before December 1, 2015, the State Department of Education and the Department of Legislative Services shall submit a report on the study conducted under this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding § 9–102.3 of the Education Article, as enacted by Section 1 of this Act, a public charter school that was approved by a county board of education before May 31, 2015, to convert from a public school may provide guaranteed placement for students who live within the geographic attendance area established by the county board of education. A public charter school that is exempt from § 9–102.3 of the Education Article under this section is also exempt from § 9–102.3 of the Education Article on the renewal of its charter contract, subject to the approval of the county board of education in which the public charter school is located.”;

in line 19, strike “2.” and substitute “4.”; and in line 20, strike “October” and substitute “June”.

The preceding 10 amendments were read only.

Senator Kelley moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #35

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 409 – Senators Montgomery, Raskin, Guzzone, Kagan, Lee, Madaleno, Manno, Nathan–Pulliam, Pinsky, Ramirez, Young, and Zirkin

AN ACT concerning

Protect Our Health and Communities Act

SB0409/514236/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 409

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Protect Our Health and Communities Act” and substitute “Environment – Hydraulic Fracturing – Regulations”; in line 3, strike “prohibiting” and substitute “requiring”; in the same line, after “Environment” insert “to adopt certain regulations on or before a certain date;”; strike beginning with “from” in line 3 down through “date” in line 12 and substitute “prohibiting certain regulations adopted by the Department from becoming effective until a certain date”; and strike in their entirety lines 20 through 26, inclusive.

On page 2, strike in their entirety lines 1 through 29, inclusive.

AMENDMENT NO. 2

On page 3, in line 5, strike “AND” and substitute “FOR”; after line 10, insert:

“(B) ON OR BEFORE OCTOBER 1, 2016, THE DEPARTMENT SHALL ADOPT REGULATIONS TO PROVIDE FOR THE HYDRAULIC FRACTURING OF A WELL FOR THE EXPLORATION OR PRODUCTION OF NATURAL GAS IN THE STATE.”;

in line 11, strike “(B)” and substitute “(C)”; and strike beginning with “THE” in line 11 down through the colon in line 30 and substitute “**REGULATIONS ADOPTED BY THE DEPARTMENT IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION MAY NOT BECOME EFFECTIVE UNTIL OCTOBER 1, 2017.**”.

On page 4, strike in their entirety lines 1 through 19, inclusive.

The preceding 2 amendments were read only.

Senator Conway moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 422 – Senator Rosapepe

AN ACT concerning

General Provisions – Commemorative Days – South Asian American Heritage Day

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 889 – Senators Conway and Muse

AN ACT concerning

General Provisions – Commemorative Days – Thurgood Marshall Day

SB0889/544934/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 889

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Muse” and substitute “. Muse, Pinsky, Bates, Kagan, Montgomery, Nathan–Pulliam, Rosapepe, Salling, Simonaire, Waugh, and Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 922 – Senator Serafini

AN ACT concerning

City of Hagerstown – Alcoholic Beverages – Outdoor Festivals

SB0922/904532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 922

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Festivals” insert “and Street Festival Licenses”; strike beginning with “consumption” in line 3 down through “term;” in line 6 and substitute “Washington County Board of License Commissioners to issue a special Class C (on-sale) beer and wine street festival license to a not-for-profit club, society, association, or organization; specifying that the license entitles the holder to exercise the privileges of the license at a certain entertainment event that is held in a certain district and approved by the Mayor of Hagerstown and the Hagerstown City Council; providing for the fee and application for the license; requiring the license holder to distribute a wristband to certain individuals and prohibiting the license holder from serving an alcoholic beverage to an individual who does not wear the wristband; providing for a certain penalty; prohibiting the number of days authorized by the license from exceeding a certain total; authorizing the Board to adopt certain regulations; exempting an applicant for the license from certain restrictions; allowing an individual under certain circumstances to purchase beer or wine from a certain license holder, transport the beer or wine to the premises of certain other license holders, and consume the beer or wine in a certain area;”; after line 7, insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 7-101(b)(12) and 12-107(b)(2)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”;

and in line 10, strike “9-222.1” and substitute “7-101(t)(4) and 12-107(b)(11)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 10 on page 2, inclusive, and substitute:

“7-101.

(b) (12) In Washington County:

(i) The fee for a special Class C beer license is \$15 per day; [and]

(ii) The fee for a special Class C beer and light wine license is \$25 per day; AND

(III) THE FEE FOR A SPECIAL CLASS C BEER AND WINE STREET FESTIVAL LICENSE IS \$30 PER DAY.

(t) (4) (I) THE WASHINGTON COUNTY BOARD OF LICENSE COMMISSIONERS MAY ISSUE A SPECIAL CLASS C (ON-SALE) BEER AND WINE STREET FESTIVAL LICENSE.

(II) THE LICENSE MAY BE ISSUED TO A NOT-FOR-PROFIT CLUB, SOCIETY, ASSOCIATION, OR ORGANIZATION.

(III) THE LICENSE ENTITLES THE HOLDER TO EXERCISE ANY OF THE PRIVILEGES CONFERRED BY THAT CLASS OF LICENSE AT A BONA FIDE ENTERTAINMENT EVENT THAT IS:

1. HELD IN THE ARTS AND ENTERTAINMENT DISTRICT IN HAGERSTOWN; AND

2. APPROVED BY THE MAYOR OF HAGERSTOWN AND THE HAGERSTOWN CITY COUNCIL.

(IV) THE APPLICATION SHALL BE ON FORMS PROVIDED BY THE BOARD AND MADE UNDER OATH BY THE APPLICANT.

(V) THE FEE SHALL BE PAID BEFORE A LICENSE IS ISSUED.

(VI) A HOLDER OF A SPECIAL CLASS C (ON-SALE) BEER AND WINE STREET FESTIVAL LICENSE:

1. AT THE EVENT FOR WHICH THE LICENSE IS ISSUED, SHALL DISTRIBUTE A WRISTBAND TO EACH INDIVIDUAL WHO IS AT LEAST 21 YEARS OLD; AND

2. MAY NOT SERVE AN ALCOHOLIC BEVERAGE TO ANY INDIVIDUAL WHO DOES NOT WEAR THE WRISTBAND.

(VII) A PERSON WHO VIOLATES SUBPARAGRAPH (VI) OF THIS PARAGRAPH IS SUBJECT TO:

1. FOR THE FIRST OFFENSE, A FINE OF \$250; AND

2. FOR THE SECOND OFFENSE, A FINE NOT EXCEEDING \$1,000 AND DENIAL OF FURTHER REQUESTS FOR SPECIAL CLASS C (ON-SALE) BEER AND WINE STREET FESTIVAL LICENSES.

(VIII) THE TOTAL NUMBER OF DAYS AUTHORIZED BY THE SPECIAL CLASS C (ON-SALE) BEER AND WINE STREET FESTIVAL LICENSE MAY NOT EXCEED 26 IN ANY CALENDAR YEAR.

(IX) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS PARAGRAPH.

(X) THE PROVISIONS OF §§ 10-103(B) AND 10-202 OF THIS ARTICLE AND § 3-102 OF THE GENERAL PROVISIONS ARTICLE DO NOT APPLY TO AN APPLICANT FOR THE SPECIAL CLASS C BEER LICENSE, THE SPECIAL CLASS C BEER AND WINE LICENSE, OR THE SPECIAL CLASS C (ON-SALE) BEER AND WINE STREET FESTIVAL LICENSE.

(XI) THIS PARAGRAPH DOES NOT PREVENT A HOLDER OF A SPECIAL CLASS C (ON-SALE) BEER AND WINE STREET FESTIVAL LICENSE FROM HOLDING ANOTHER ALCOHOLIC BEVERAGES LICENSE OF A DIFFERENT CLASS OR NATURE.

12-107.

(b) (2) Except as provided in [paragraph (10)] PARAGRAPHS (10) AND (11) of this subsection, it shall be unlawful for any person to drink on the licensed premises of any license holder any alcoholic beverages not purchased from the license holder on said premises and not permitted by this article to be consumed on the premises; and it shall be

unlawful for any license holder to permit any person to drink any alcoholic beverage not purchased from the said license holder on the premises covered by the license which he holds and not permitted by this article to be consumed on the premises.

(11) DURING A BONA FIDE ENTERTAINMENT EVENT HELD IN THE ARTS AND ENTERTAINMENT DISTRICT IN HAGERSTOWN AND APPROVED BY THE MAYOR AND CITY COUNCIL, AN INDIVIDUAL, WITHIN THE APPROVED EVENT AREA AND IN A DESIGNATED CONTAINER UNIQUE TO THE EVENT, MAY:

(I) PURCHASE BEER OR WINE FROM THE HOLDER OF A SPECIAL CLASS C (ON-SALE) BEER AND WINE STREET FESTIVAL LICENSE, OR PURCHASE BEER OR WINE FROM, AND CONSUME ON THE PREMISES OF, A LICENSE HOLDER WITH ON-SALE PRIVILEGES WITHIN THE ARTS AND ENTERTAINMENT DISTRICT;

(II) TRANSPORT THE BEER OR WINE IN THE DESIGNATED CONTAINER TO THE PREMISES OF ANOTHER LICENSE HOLDER WITH ON-SALE PRIVILEGES IN THE ARTS AND ENTERTAINMENT DISTRICT AND WITHIN THE APPROVED EVENT AREA; AND

(III) CONSUME THE BEER OR WINE WITHIN THE ARTS AND ENTERTAINMENT DISTRICT EVENT AREA AS APPROVED BY THE MAYOR AND CITY COUNCIL, INCLUDING ON THE PREMISES OF ANY LICENSE HOLDER WITH ON-SALE PRIVILEGES.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #36**

CONSENT CALENDAR #55

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 90	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – License Requirements MC 17–15
HB 129	FAV	Del. Morhaim	Procurement – Veteran–Owned Small Business Enterprise Participation – Award of Contracts
HB 170	FAV	Del. Beitzel	Natural Resources – Game Birds – Baiting
HB 287	FAV	Del. O'Donnell	Natural Resources – Aquaculture – Liability for Trespass
HB 919	FAV	Del. Lafferty	Land Use – Plans – Development and Adoption
HB 932	FAV	Prince George's County Delegation	Prince George's County – City of College Park – Class D Beer and Wine License PG 317–15

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #24

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 158 – Delegates Haynes, B. Barnes, Cullison, Gutierrez, Hixson, Korman, Pena–Melnik, Proctor, Reznik, Rosenberg, Sophocleus, and Zucker

AN ACT concerning

State Personnel and Procurement – Service Contracts – Reporting and Audit Requirements

HB0158/487773/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 158

(Third Reading File Bill)

On page 1, strike beginning with “requiring” in line 11 down through “contracts;” in line 12.

On page 4, in line 16, strike “(I)”; and strike in their entirety lines 21 through 23, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 323 – ~~Delegate Impallaria~~ Delegates Impallaria, Anderton, Beidle, Cassilly, Flanagan, Healey, Holmes, Jacobs, Lafferty, Lam, and Szeliga

AN ACT concerning

Maryland Building Performance Standards – Modifications – Energy Codes – ~~Local Authority~~

HB0323/397773/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 323

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Modifications”; in the same line, after “Codes –” insert “Local Authority”; strike beginning with “requiring” in line 4 down through “modifications” in line 6 and substitute “authorizing a local jurisdiction to adopt local amendments”; strike

beginning with “allow” in line 7 down through “the” in line 8 and substitute “are”; and in line 13, strike “12-503” and substitute “12-504”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 19 on page 1 through line 4 on page 3, inclusive, and substitute:

“12-504.

(a) (1) A local jurisdiction may adopt local amendments to the Standards if the local amendments do not:

(i) prohibit the minimum implementation and enforcement activities set forth in § 12-505 of this subtitle;

(ii) weaken energy conservation and efficiency provisions contained in the Standards;

(iii) except as provided in paragraph (3) of this subsection, weaken the automatic fire sprinkler systems provisions for townhouses and one- and two-family dwellings contained in the Standards; or

(iv) weaken wind design and wind-borne debris provisions contained in the Standards.

(2) (i) Regardless of whether the International Green Construction Code is adopted by the Department under § 12-503(d) of this subtitle, a local jurisdiction may adopt the International Green Construction Code.

(ii) A local jurisdiction may make local amendments to the International Green Construction Code.

(3) Paragraph (1)(iii) of this subsection does not apply to:

(i) standards governing issuance of a building permit for a property not connected to an electrical utility; or

(ii) until January 1, 2016, standards governing issuance of a building permit for a new one- or two-family dwelling constructed on:

1. a lot subject to a valid unexpired public works utility agreement that was executed before March 1, 2011; or

2. a lot served by an existing water service line from a water main to the property line that:

A. is less than a nominal 1–inch size;

B. is approved and owned by the public or private water system that owns the mains;

C. was installed before March 1, 2011; and

D. is fully operational from the public or private main to a curb stop or meter pit located at the property line.

(b) If a local jurisdiction adopts a local amendment to the Standards, the Standards as amended by the local jurisdiction apply in the local jurisdiction.

(c) (1) If a local amendment conflicts with the Standards, the local amendment prevails in the local jurisdiction.

(2) A LOCAL JURISDICTION MAY ADOPT LOCAL AMENDMENTS TO THE STANDARDS THAT ARE EQUIVALENT TO THE REQUIREMENTS OF:

(I) THE INTERNATIONAL ENERGY CONSERVATION CODE;

(II) CHAPTER 13, “ENERGY EFFICIENCY”, OF THE INTERNATIONAL BUILDING CODE; OR

(III) CHAPTER 11, “ENERGY EFFICIENCY”, OF THE INTERNATIONAL RESIDENTIAL CODE.

(d) A local jurisdiction that adopts a local amendment to the Standards shall ensure that the local amendment is adopted in accordance with applicable local law.

(e) To keep the database established under this subtitle current, a local jurisdiction that adopts a local amendment to the Standards shall provide a copy of the local amendment to the Department:

(1) at least 15 days before the effective date of the amendment; or

(2) within 5 days after the adoption of an emergency local amendment.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 341 – Delegate Davis

AN ACT concerning

Underground Utility Damage Prevention – Connecting Buildings to Water Supply Systems and Sewerage Systems – Detectable Wires

HB0341/457776/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 341

(Third Reading File Bill)

On page 2, in line 31, strike “AND” and substitute “**OR**”.

On page 2 in line 30, and on page 3 in line 1, in each instance, strike “AT WHICH” and substitute “**WHERE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #25**CONSENT CALENDAR #52**

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 5 – ~~Delegate O'Donnell~~ Delegates O'Donnell, S. Howard, Hammen, Pendergrass, Angel, Barron, Bromwell, Cullison, Hayes, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Sample-Hughes, West, and K. Young

~~EMERGENCY BILL~~

AN ACT concerning

**Department of Health and Mental Hygiene – Newborn Screening Program Fund
– Establishment**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 35 – Delegate Barkley

AN ACT concerning

Public Service Commission – Hearing Examiners – Change of Job Title

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 68 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

**State Board of Examiners of Nursing Home Administrators – Sunset Extension
and Program Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 140 – Delegate Davis

AN ACT concerning

Public Service Commission – Restrictions After Service

HB0140/357777/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 140

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “commissioner;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 3, after line 10, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to an individual who serves as a commissioner of the Public Service Commission on or after January 1, 2015.”;

and in line 11, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 173 – ~~Delegate Beidle~~ Anne Arundel County Delegation

AN ACT concerning

Workers’ Compensation – Heart Disease and Hypertension Presumption – Anne Arundel County ~~Correctional~~ Detention Officers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 200 – Delegates Cluster, Arentz, Aumann, Cassilly, Folden, S. Howard, Impallaria, Jacobs, Kittleman, Metzgar, Miele, W. Miller, Parrott, Szeliga, West, and B. Wilson

AN ACT concerning

State Correctional Facilities – Correctional Officers – Polygraph Examination

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 230 – ~~Delegate Hammen~~ Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Reznik, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Health Insurance – Assignment of Benefits and Reimbursement of Nonpreferred Providers – Repeal of Termination Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 231 – ~~Delegate Hammen~~ Delegates Hammen, Pendergrass, Angel, Barron, Bromwell, Cullison, Hayes, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Sample-Hughes, West, and K. Young

AN ACT concerning

Developmental Disabilities Administration – Low Intensity Support Services – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 358 – Delegate Jameson

AN ACT concerning

Workers’ Compensation Insurance – Cancellation and Nonrenewal – Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 450 – Delegates Carr, B. Barnes, Fraser–Hidalgo, Frush, Korman, Lam,
Luedtke, A. Miller, Pena–Melnyk, and S. Robinson**

AN ACT concerning

State Highway Administration – Bicycle and Pedestrian Priority Areas

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 468 – Delegates Jameson and Davis

AN ACT concerning

**Chesapeake Employers’ Insurance Company and Injured Workers’ Insurance
Fund Advisory Board**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 558	FAV	Del. Clippinger	Financial Institutions – Depository Institutions – Savings Promotion Raffles
HB 565	FAV	Del. Bromwell	Insurance – Surplus Lines – Disability Insurance
HB 602	FAV	Del. Glenn	Univ of Md School of Medicine – Workgroup to Study Issues Related to Uterine Fibroids
HB 660	FAV	Del. Zucker	Health Insurance – Expense Reimbursement Claims Forms – Methods for Submission
HB 697	FAV	Del. Davis	Life Insurers – Reserve Investments – Loans Secured by Real Estate
HB 732	FAV	Del. Vaughn	Insurance – Motor Vehicle Rental Companies – Limited Lines License to Sell Insurance
HB 739	FAV	Del. Kelly	Task Force to Study Maternal Mental Health
HB 859 (Emerg)	FAV	Del. Bromwell	Nonprf Hlth Serv Plans – Hearing and Order – Impact of Law or Regulatory Actn by Another St
HB 895	FAV	Baltimore County Delegation	Baltimore County – Education – Junior Reserve Officer Training Corps Instructors
HB 971	FAV	Del. Oaks	Public Health – Substance Abuse Treatment Outcomes Partnership Fund

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #27

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 943 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Barkley, Branch, Brooks, Carey, Clippinger, Frick, Glenn, Jameson, Kramer, Lisanti, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Economic Competitiveness and Commerce – Restructuring

HB0943/897478/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 943

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “and” and substitute a comma; in line 8, after the second “and” insert “the operations of the Department; specifying that the Secretary”; in line 9, strike “certain units and”; and strike beginning with the second “the” in line 15 down through “Corporation” in line 16 and substitute “certain corporations”.

On page 2, strike beginning with “altering” in line 7 down through “information” in line 22 and substitute “expanding a certain authority of the Maryland Economic Development Corporation”; in line 28, after “duties;” insert “establishing the Public–Private Partnership Marketing Corporation and the Board of Directors of the Corporation; providing that the Public–Private Partnership Marketing Corporation is a body politic and corporate and is an instrumentality of the State; specifying the purposes of the Public–Private Partnership Marketing Corporation; specifying the duties, membership, qualifications, terms, appointments, and removal of the members of the Board of the Public–Private Partnership Marketing Corporation; specifying the manner of electing the”.

chair of the Board of the Public–Private Partnership Marketing Corporation; requiring the Public–Private Partnership Marketing Corporation to employ an Executive Director; specifying the duties of the Executive Director of the Public–Private Partnership Marketing Corporation; establishing the Economic Development Marketing Fund as a special, nonlapsing fund; requiring the Public–Private Partnership Marketing Corporation to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; providing that a certain provision of law may not be construed to prevent the Department from expending certain funds directly for marketing purposes; providing that the Attorney General is the legal advisor to the Public–Private Partnership Marketing Corporation; authorizing the Public–Private Partnership Marketing Corporation to employ certain staff; specifying certain provisions of law from which the Public–Private Partnership Marketing Corporation is exempt and to which the Corporation is subject; specifying the authority of the Public–Private Partnership Marketing Corporation; requiring the Public–Private Partnership Marketing Corporation to report on certain matters to certain persons on or before a certain date each year;”.

On page 3, in line 16, after “Commission;” insert “and”; in line 19, strike “2.” and substitute “2.5.”; in line 20, after “10–480” insert “10–484”; in line 26, strike “and” and substitute a comma; in line 27, strike “6–505 through 6–507,”; in line 27, strike “6–520, 6–523,”; in line 28, strike “10–104(a)” and substitute “10–104, 10–110, 10–132”; in line 40, strike “10–104(b) and (c).”; in line 41, strike “10–110.”; and in the same line, strike “10–132.”.

On page 4, in line 3, strike “and 2.5–109”; in line 10, after “2–101” insert “; and 10–901 through 10–912 to be under the new subtitle “Subtitle 9. Maryland Public–Private Partnership Marketing Corporation,”; in line 11, strike “, 10–109.1, 10–114.1.”; and in line 12, strike “10–117.1.”.

On page 5, in line 37, strike “2.” and substitute “2.5”; in line 38, after “10–485.” insert “10–486.”; and in line 40, after “5–601” insert “of Article – Economic Development”.

On page 6, in line 1, after “6–501” insert “of Article – Economic Development”.

AMENDMENT NO. 2

On page 7, in line 7, strike “AND”; and in line 10, after “ARTICLE” insert “; AND”

**(III) THE MARYLAND PUBLIC-PRIVATE PARTNERSHIP
MARKETING CORPORATION ESTABLISHED UNDER TITLE 10, SUBTITLE 9 OF THIS
ARTICLE**".

On page 8, in line 9, strike "AND"; and in line 11, after "CORPORATION" insert ";
AND

**(III) THE MARYLAND PUBLIC-PRIVATE PARTNERSHIP
MARKETING CORPORATION**".

AMENDMENT NO. 3

On page 17, in line 26, after "(2)" insert "ADVISE THE SECRETARY ON ECONOMIC
DEVELOPMENT POLICY IN THE STATE;

(3)".

On page 18, in line 1, strike "**(3)**" and substitute "**(4)**"; in line 2, strike "AND" and substitute a comma; and in line 3, after "CORPORATION" insert ", AND THE MARYLAND
PUBLIC-PRIVATE PARTNERSHIP MARKETING CORPORATION".

On page 21, in line 18, strike "AND"; and in the same line, after the second "CORPORATION" insert ", AND THE MARYLAND PUBLIC-PRIVATE PARTNERSHIP
MARKETING CORPORATION".

AMENDMENT NO. 4

On page 46, in line 18, strike the brackets; in line 20, strike the semicolon and substitute a period; and strike in their entirety lines 21 through 26, inclusive.

On page 47, strike beginning with ", INCLUDING" in line 8 down through "STATE" in line 10; and strike in their entirety lines 24 through 32, inclusive.

On page 48, strike in their entirety lines 1 through 9, inclusive; in line 14, strike "PUBLIC RELATIONS AND COMMUNICATIONS CONSULTANTS,"; and strike in their entirety lines 16 through 29, inclusive.

On page 49, strike in their entirety lines 1 through 28, inclusive.

On page 50, strike in their entirety lines 27 and 28.

On page 51, strike in their entirety lines 1 through 4, inclusive; and strike beginning with “, INCLUDING” in line 10 down through “GROUP” in line 12.

AMENDMENT NO. 5

On page 57, after line 6, insert:

“SUBTITLE 9. MARYLAND PUBLIC–PRIVATE PARTNERSHIP MARKETING CORPORATION.”

10–901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “BOARD” MEANS THE BOARD OF DIRECTORS OF THE CORPORATION.

(C) “CORPORATION” MEANS THE MARYLAND PUBLIC–PRIVATE PARTNERSHIP MARKETING CORPORATION.

10–902.

(A) THERE IS A MARYLAND PUBLIC–PRIVATE PARTNERSHIP MARKETING CORPORATION.

(B) THE CORPORATION IS A BODY POLITIC AND CORPORATE AND IS AN INSTRUMENTALITY OF THE STATE.

(C) THE PURPOSES OF THE CORPORATION ARE TO:

(1) CREATE A BRANDING STRATEGY FOR THE STATE;

(2) MARKET THE STATE’S ASSETS TO OUT–OF–STATE BUSINESSES;

(3) RECRUIT OUT–OF–STATE BUSINESSES TO LOCATE AND GROW IN THE STATE; AND

(4) FOSTER PUBLIC-PRIVATE PARTNERSHIPS THAT ENCOURAGE LOCATION AND DEVELOPMENT OF NEW BUSINESSES IN THE STATE.

10-903.

(A) A BOARD OF DIRECTORS SHALL MANAGE THE CORPORATION AND ITS UNITS AND EXERCISE THE CORPORATE POWERS OF THE BOARD OF DIRECTORS.

(B) THE BOARD CONSISTS OF THE FOLLOWING 18 MEMBERS:

(1) THE SECRETARY;

(2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT;

(3) (I) ONE MEMBER OF THE SENATE OF MARYLAND, WHO SHALL BE A NONVOTING MEMBER OF THE BOARD, DESIGNATED BY THE PRESIDENT OF THE SENATE; AND

(II) ONE MEMBER OF THE HOUSE OF DELEGATES, WHO SHALL BE A NONVOTING MEMBER OF THE BOARD, DESIGNATED BY THE SPEAKER OF THE HOUSE; AND

(4) THE FOLLOWING 14 MEMBERS, APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE:

(I) THREE REPRESENTING BUSINESSES IN THE STATE;

(II) TWO REPRESENTING LABOR IN THE STATE;

(III) TWO REPRESENTING NOT-FOR-PROFIT ORGANIZATIONS IN THE STATE;

(IV) THREE WITH EXPERTISE IN MARKETING OR ADVERTISING;

(V) ONE WITH EXPERTISE IN PUBLIC RELATIONS AND COMMUNICATIONS; AND

(VI) THREE WITH EXPERTISE IN ECONOMIC DEVELOPMENT.

(C) EACH MEMBER OF THE BOARD SHALL RESIDE IN THE STATE.

(D) IN MAKING APPOINTMENTS TO THE BOARD, THE GOVERNOR SHALL CONSIDER DIVERSITY AND ALL GEOGRAPHIC REGIONS OF THE STATE.

(E) A MEMBER OF THE BOARD:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD;
BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(F) (1) THE TERM OF AN APPOINTED MEMBER IS 4 YEARS.

(2) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON OCTOBER 1, 2015.

(3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(G) THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE POSITION.

(H) THE BOARD SHALL ELECT A CHAIR FROM AMONG THE MEMBERS OF THE BOARD.

(I) THE BOARD MAY ACT WITH AN AFFIRMATIVE VOTE OF NINE BOARD MEMBERS.

10-904.

(A) THE CORPORATION SHALL EMPLOY AN EXECUTIVE DIRECTOR.

(B) THE EXECUTIVE DIRECTOR SHALL HAVE EXPERIENCE WITH AND POSSESS QUALIFICATIONS RELEVANT TO THE ACTIVITIES AND PURPOSES OF THE CORPORATION.

10-905.

(A) IN THIS SECTION, "FUND" MEANS THE ECONOMIC DEVELOPMENT MARKETING FUND.

(B) THERE IS AN ECONOMIC DEVELOPMENT MARKETING FUND.

(C) THE CORPORATION SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING REVOLVING FUND THAT IS NOT SUBJECT TO REVERSION UNDER § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) MONEY MADE AVAILABLE TO THE FUND THROUGH FEDERAL PROGRAMS OR PRIVATE CONTRIBUTIONS;

(3) MONEY DERIVED BY THE CORPORATION FROM THE SALE OF ADVERTISING, PUBLICATIONS, SPONSORSHIPS, OR OTHER PROMOTIONAL OR MARKETING OPPORTUNITIES; OR

(4) ANY OTHER MONEY MADE AVAILABLE TO THE CORPORATION FOR THE FUND.

(F) (1) THE FUND MAY BE USED ONLY TO MARKET THE STATE AS A LOCATION FOR BUSINESSES TO LOCATE, RETAIN, OR EXPAND THEIR OPERATIONS THROUGH ANY OF THE FOLLOWING MEANS:

(I) WEB SITE MANAGEMENT;

(II) MEDIA CONTENT CREATION;

(III) SOCIAL MEDIA OUTREACH;

(IV) ELECTRONIC MAIL MARKETING TO PROMOTE EVENTS AND OPPORTUNITIES FOR BUSINESSES;

(V) COLLATERAL AND DISPLAY DEVELOPMENT;

(VI) EVENT MANAGEMENT; AND

(VII) ANY OTHER APPROACHES THE CORPORATION DETERMINES TO BE APPROPRIATE.

(2) THE CORPORATION MAY CONDUCT THESE ACTIVITIES DIRECTLY OR THROUGH CONTRACT PROVIDERS.

(G) (1) THE TREASURER SHALL INVEST MONEY IN THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID INTO THE FUND.

(H) NOTHING IN THIS SECTION MAY BE CONSTRUED TO PREVENT THE DEPARTMENT FROM EXPENDING FUNDS APPROPRIATED IN THE STATE BUDGET TO THE DEPARTMENT DIRECTLY FOR MARKETING PURPOSES.

10-906.

(A) THE ATTORNEY GENERAL IS THE LEGAL ADVISOR TO THE CORPORATION.

(B) WITH THE APPROVAL OF THE ATTORNEY GENERAL, THE CORPORATION MAY RETAIN ANY NECESSARY LAWYERS.

10-907.

THE CORPORATION MAY RETAIN ANY NECESSARY ACCOUNTANTS, FINANCIAL ADVISORS, OR OTHER CONSULTANTS.

10-908.

(A) EXCEPT AS PROVIDED IN SUBSECTIONS (B), (C), AND (E) OF THIS SECTION, THE CORPORATION IS EXEMPT FROM:

(1) TITLE 10 AND DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND

(2) §§ 10-507 AND 10-555 OF THE STATE GOVERNMENT ARTICLE.

(B) THE CORPORATION IS SUBJECT TO THE PUBLIC INFORMATION ACT.

(C) THE BOARD AND THE OFFICERS AND EMPLOYEES OF THE CORPORATION ARE SUBJECT TO THE PUBLIC ETHICS LAW.

(D) THE OFFICERS AND EMPLOYEES OF THE CORPORATION ARE NOT SUBJECT TO THE PROVISIONS OF DIVISION I OF THE STATE PERSONNEL AND PENSIONS ARTICLE THAT GOVERN THE STATE PERSONNEL MANAGEMENT SYSTEM.

(E) THE CORPORATION, THE BOARD, AND THE EMPLOYEES OF THE CORPORATION ARE SUBJECT TO TITLE 12, SUBTITLE 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

10-909.

THE CORPORATION MAY:

- (1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;**
- (2) ADOPT A SEAL;**
- (3) MAINTAIN OFFICES AT A PLACE IN THE STATE THAT THE CORPORATION DESIGNATES;**
- (4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM THE FEDERAL OR STATE GOVERNMENT, LOCAL GOVERNMENT, A COLLEGE OR UNIVERSITY, OR A PRIVATE SOURCE;**
- (5) ACCEPT ASSISTANCE FROM THE MARYLAND ECONOMIC DEVELOPMENT CORPORATION;**
- (6) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;**
- (7) SUE OR BE SUED;**
- (8) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:**
 - (I) A FRANCHISE, PATENT, OR LICENSE;**
 - (II) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR INTANGIBLE PROPERTY; OR**
 - (III) AN INTEREST IN THE PROPERTY LISTED IN THIS ITEM;**

(9) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT THE CORPORATION ACQUIRES;

(10) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND CHARGES FOR SERVICES AND RESOURCES THE CORPORATION PROVIDES OR MAKES AVAILABLE; AND

(11) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE POWERS GRANTED BY THIS SUBTITLE.

10-910.

THE CORPORATION IS EXEMPT FROM STATE AND LOCAL TAXES.

10-911.

THE BOOKS AND RECORDS OF THE CORPORATION ARE SUBJECT TO AUDIT:

(1) AT ANY TIME BY THE STATE; AND

(2) EACH YEAR BY AN INDEPENDENT AUDITOR THAT THE OFFICE OF LEGISLATIVE AUDITS APPROVES.

10-912.

(A) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE CORPORATION SHALL REPORT TO THE GOVERNOR, THE SECRETARY, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(B) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND FINANCIAL STATEMENT COVERING THE CORPORATION'S OPERATIONS AND A SUMMARY OF THE CORPORATION'S ACTIVITIES DURING THE PRECEDING FISCAL YEAR."

On page 65, strike in their entirety lines 8 through 26, inclusive, and substitute:

“SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding § 10–903(f)(1) of the Economic Development Article, as enacted by Section 2 of this Act, the terms of the initial appointed members of the Board of Directors of the Maryland Public–Private Partnership Marketing Corporation shall expire as follows:

- (1) Three members on September 30, 2018;
- (2) Four members on September 30, 2019;
- (3) Four members on September 30, 2020; and
- (4) Three members on September 30, 2021.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #17

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 849 – Senator Cassilly

AN ACT concerning

Criminal Procedure – Life Without Parole – Jury Sentencing Repeal

Senator Kelley moved, duly seconded, to make the Bill and Report a Special Order for April 3, 2015.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 912 – Senator Hershey

AN ACT concerning

Kent County – Prospective Employees and Volunteers – Criminal History Records Check

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #18

CONSENT CALENDAR #54

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 48	FAV	Chair, Judiciary Committee	Clerks of the Circuit Courts – Collection of Appearance Fees
HB 49	FAV	Chair, Judiciary Committee	Clerks of the Circuit Courts – Water and Sewer Lien Registers – Fees
HB 50	FAV	Chair, Judiciary Committee	Active Armed Forces Member – Exemption From Payment of Fees for Certain Court Records
HB 83	FAV	Del. Krebs	Public Records – Inspection
HB 115	FAV	Carroll County Delegation	Carroll County – Correctional Officers’ Bill of Rights
HB 131	FAV	Chair, Judiciary Committee	Criminal Procedure – Transfer to Juvenile Court – Petition for Expungement
HB 171	FAV	Del. Afzali	Courts – Child Abuse and Neglect – Waiver of Reunification Efforts (Anayah’s Law)
HB 201	FAV	Del. S. Robinson	Vehicle Laws – Special Registr Plates and Parking Placards for Indivs With Dsblts – Lic’d PTs
HB 224	FAV	Del. Dumais	Domestic Violence – 2–Year Protective Order

HB 369	FAV	Caroline County Delegation	Public Saf – Appt of Mbrs of Fire Companies as Deputy Sheriffs – Caroline Co and Talbot Co
HB 388 (Emerg)	FAV	Del. Dumais	Justice Reinvestment Coordinating Council
HB 439	FAV	Del. M. Washington	Family Law – Information and Services for Foster Children and Former Foster Children
HB 462	FAV	Del. K. Young	Public Safety – Statewide Accounting of Sexual Assault Evidence Kits
HB 506	FAV	Del. Anderson	Baltimore City – Vehicle Laws – Traffic Safety
HB 529	FAV	Del. Clippinger	Criminal Law – Identity Fraud – Name of the Individual
HB 542	FAV	Del. O'Donnell	Circuit Court for Calvert County – Fees for Appearance of Counsel
HB 592	FAV	Del. Morhaim	St Dnr Rgstry – Info & Mthds of Rgstr – Clks of Cret Cts, Rgstrs of Wlls, & MVA (EODR Act)
HB 623	FAV	Del. Miele	Estates – Modified Administration – Final Report and Distribution – Extension
HB 643	FAV	Del. Zucker	Department of Human Resources – State Child Welfare System – Report
HB 666	FAV	Del. Miele	Maryland Trust Act – Revocable Trusts – Creditors' Claims – Limitations
HB 703	FAV	Del. Miele	Estates and Trusts – Maryland Trust Act – Incapacity

HB 782	FAV	Del. McMillan	Real Property – Residential Leases – Interest on Security Deposits
HB 793	FAV	Washington County Delegation	Washington County – County Clerk
HB 917	FAV	Del. Kramer	Motor Vehicles – Checkpoints – Prohibition on Targeting Motorcycles
HB 1009	FAV	Del. Smith	Criminal Procedure – Immunity – Alcohol– or Drug–Related Medical Emergencies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 229 – Delegates Dumais, Anderson, Atterbeary, Barve, Carr, Clippinger, Cullison, Fraser–Hidalgo, Frick, Frush, Gilchrist, Gutierrez, Hammen, Hixson, Kaiser, Kelly, Korman, Kramer, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Pena–Melnyk, Pendergrass, Platt, Reznik, Smith, Tarlau, Valentino–Smith, B. Wilson, ~~and Zucker~~ Zucker, Angel, Barron, Bromwell, Hayes, Hill, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Oaks, Saab, Sample–Hughes, West, and K. Young

AN ACT concerning

Human Relations – Employment Discrimination – Protection for Interns

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #19

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 7 – Delegate Sophocleus

AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and Records –
Time Period**

HB0007/458276/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 7

(Third Reading File Bill)

On page 1, in line 4, after “of” insert “requiring a local department of social services to maintain certain reports of suspected abuse or neglect and all assessments and investigative findings for certain periods of time;”; in line 6, strike “within” and substitute “after”; in line 7, strike “of social services”; and strike beginning with “authorizing” in line 8 down through “circumstances;” in line 10.

On page 2, in line 9, strike “The” and substitute “UNLESS AN INVESTIGATION UNDER § 5–706 OF THIS SUBTITLE FINDS THAT THE REPORT IS INDICATED OR THE LOCAL DEPARTMENT HAS RECEIVED ADDITIONAL REPORTS, THE”; in line 11, strike “expunge” and substitute “MAINTAIN”; in line 14, strike “within 5” and substitute “FOR AT LEAST 5”; strike beginning with “SUBJECT” in line 18 down through “YEAR” in line 19 and substitute “FOR AT LEAST 5 YEARS”; in line 21, strike “1 YEAR” and substitute “5 YEARS”; and strike beginning with “IF” in line 25 down through “FINDINGS” in line 27 and substitute “THE LOCAL DEPARTMENT SHALL EXPUNGE A REPORT OF SUSPECTED ABUSE OR NEGLECT AND ALL ASSESSMENTS AND INVESTIGATIVE FINDINGS AFTER THE EXPIRATION OF THE PERIOD ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 124 – Delegates Anderson, A. Miller, Bromwell, Conaway, Dumais, Glenn, Haynes, C. Howard, Lierman, McIntosh, Oaks, B. Robinson, Rosenberg, Valentino-Smith, ~~and Vallario~~ Vallario, Cullison, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gilchrist, Healey, Hornberger,

Kaiser, Kelly, Korman, Lam, McMillan, Miele, Moon, Morales, Morhaim, Pena-Melnyk, Pendergrass, Platt, Reznik, S. Robinson, Tarlau, Turner, Waldstreicher, M. Washington, and K. Young

AN ACT concerning

Criminal Procedure – Expungement – Conviction of a Crime That Is No Longer a Crime

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 150 – Delegate Morhaim

AN ACT concerning

Secretary of State and Attorney General – Charitable Enforcement and Protection of Charitable Assets – Workgroup Reports – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 236 – Delegates Jalisi, Waldstreicher, Anderson, Atterbeary, Carter, Cluster, Conaway, S. Howard, Mautz, McComas, Metzgar, Moon, Rey, Sydnor, ~~and B. Wilson~~ B. Wilson, Barkley, B. Barnes, D. Barnes, Barron, Bromwell, Campos, Clippinger, Cullison, Davis, Fennell, Fraser-Hidalgo, Frush, Hill, Impallaria, Jackson, Kaiser, Kelly, Kipke, Korman, Kramer, Luedtke, McMillan, A. Miller, W. Miller, Morales, Oaks, Platt, S. Robinson, Smith, Tarlau, Valentino-Smith, Vaughn, Walker, A. Washington, P. Young, and Zucker

AN ACT concerning

Criminal Law – Assault – First Responders

HB0236/808571/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 236

(Third Reading File Bill)

On page 1, in line 5, strike “services provider” and substitute “technician”; and in line 6, strike “fire fighting or”.

On page 2, in line 17, strike “SERVICES PROVIDER, AS DEFINED IN § 13-516(A) OF THE EDUCATION ARTICLE” and substitute “TECHNICIAN”; and strike beginning with “FIRE” in line 18 down through “OR” in line 19.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 293 – Delegate Morhaim

AN ACT concerning

Guardianship, of Disabled Persons and Revocation of Advance Directives, and Surrogates – Disabled Persons and Mental Health Services

HB0293/588573/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 293

(Third Reading File Bill)

On page 1, in line 11, strike “certain individual” and substitute “declarant”; and in line 12, strike “making conforming changes;”.

On page 3, strike beginning with “THE” in line 29 down through “DIRECTIVE” in line 30 and substitute “a declarant”.

On page 4, in line 1, strike “COMPETENT INDIVIDUAL” and substitute “DECLARANT”; in line 5, strike “INDIVIDUAL” and substitute “DECLARANT”; in line 7, strike “AN INDIVIDUAL” and substitute “a declarant”; in line 9, strike “INDIVIDUAL’S” and

substitute “declarant’s”; and in lines 11 and 12, in each instance, strike “**INDIVIDUAL**” and substitute “declarant”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 360 – Delegates Vallario, Morales, Anderson, Atterbeary, Campos, Carter, Conaway, Dumais, Frush, Glass, Jalisi, Kramer, Moon, Rey, Reznik, Rosenberg, Smith, Sydnor, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture

HB0360/328479/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 360

(Third Reading File Bill)

On page 1, in line 3, after “of” insert “establishing a certain minimum amount of money that is subject to forfeiture in connection with a controlled dangerous substance violation;”; and in line 13, after “exception;” insert “providing that if the owner of seized property is not charged with a violation of a certain law in connection with the seizure of the property within a certain amount of time, the property shall be immediately returned to the owner;”.

On pages 1 and 2, strike beginning with “requiring” in line 17 on page 1 down through “Act;” in line 16 on page 2; in line 20, after “12–103(a),” insert “12–301;”; strike line 25 in its entirety; and after line 25, insert:

“Section 12–212”.

On page 3, in line 9, after “money” insert “**OF MORE THAN \$300**”.

On page 4, in line 10, strike “12–211.” and substitute “12–212.”; and after line 24, insert:

“12–301.

(A) Except as provided in § 12–304(c) of this subtitle, if property is seized under § 12–202(a)(2)(iv) and (v) of this title because there is probable cause to believe that the property is directly or indirectly dangerous to health or safety and that the property was or will be used to violate this title, forfeiture proceedings under this subtitle shall be filed promptly.

(B) IF THE OWNER OF SEIZED PROPERTY IS NOT CHARGED WITH A VIOLATION OF THE CONTROLLED DANGEROUS SUBSTANCES LAW IN CONNECTION WITH THE SEIZURE OF THE PROPERTY WITHIN 180 DAYS, THE PROPERTY SHALL BE IMMEDIATELY RETURNED TO THE OWNER.”.

On pages 5 through 9, strike in their entirety the lines beginning with line 11 on page 5 through line 14 on page 9, inclusive.

On page 9, in line 15, strike “3.” and substitute “2.”; and strike beginning with “Section” in line 16 down through “effect.” in line 18.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 362 – Delegates Waldstreicher, Adams, Anderson, Campos, Dumais, Fraser–Hidalgo, Frush, Gilchrist, Gutierrez, Haynes, Healey, S. Howard, Jalisi, Kelly, Kipke, Kramer, Lam, McComas, McConkey, McMillan, A. Miller, Moon, Morales, Platt, S. Robinson, Smith, Stein, Valderrama, Valentino–Smith, Vallario, and M. Washington

AN ACT concerning

Criminal Law – ~~Costs of Care for Seized Animals~~ Animal Cruelty – Payment of Costs

HB0362/948173/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 362

(Third Reading File Bill)

On page 1, in line 21, strike “, not”.

On page 2, in line 1, strike “exceeding a certain amount,”; strike beginning with “prohibiting” in line 2 down through “animal;” in line 7; in line 10, before “10-606,” insert “10-604,”; in the same line, after “10-607,” insert “and”; and in the same line, strike “, and 10-615”.

On page 6, after line 10, insert:

“10-604.”

(a) A person may not:

(1) overdrive or overload an animal;

(2) deprive an animal of necessary sustenance;

(3) inflict unnecessary suffering or pain on an animal;

(4) cause, procure, or authorize an act prohibited under item (1), (2), or (3) of this subsection; or

(5) if the person has charge or custody of an animal, as owner or otherwise, unnecessarily fail to provide the animal with nutritious food in sufficient quantity, necessary veterinary care, proper drink, air, space, shelter, or protection from the weather.

(b) (1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000 or both.

(2) As a condition of sentencing, the court may order a defendant convicted of violating this section to:

(I) participate in and pay for psychological counseling; AND

(II) PAY, IN ADDITION TO ANY OTHER FINES AND COSTS, ALL REASONABLE COSTS INCURRED IN REMOVING, HOUSING, TREATING, OR EUTHANIZING AN ANIMAL CONFISCATED FROM THE DEFENDANT.

(3) As a condition of probation, the court may prohibit a defendant from owning, possessing, or residing with an animal.”;

in line 21, strike “(I)”; in lines 23 and 24, strike “1.” and “2.”, respectively, and substitute “(I)” and “(II)”, respectively; strike beginning with “EXCEPT” in line 24 down through “PARAGRAPH,” in line 25; in line 26, strike “, NOT EXCEEDING \$15,000,”; and strike in their entirety lines 29 through 31, inclusive.

On page 7, strike in their entirety lines 1 and 2; in line 18, strike “(I)”; in lines 20 and 21, strike “1.” and “2.”, respectively, and substitute “(I)” and “(II)”, respectively; strike beginning with “EXCEPT” in line 21 down through “PARAGRAPH,” in line 22; in line 23, strike “, NOT EXCEEDING \$15,000,”; and strike in their entirety lines 26 through 29, inclusive.

On page 8, in line 28, strike “(I)”; and in line 30, strike “1.” and substitute “(I)”.

On page 9, in line 1, strike “2.” and substitute “(II)”; strike beginning with “EXCEPT” in line 1 down through “PARAGRAPH,” in line 2; and in line 3, strike “, NOT EXCEEDING \$15,000,”.

On pages 9 and 10, strike in their entirety the lines beginning with line 6 on page 9 through line 24 on page 10, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 456 – Delegates Morales, Dumais, Anderson, Atterbeary, Carter, Clippinger, Cluster, Conaway, Folden, Gutierrez, Kaiser, McComas, Moon, Rosenberg, Simonaire, Smith, Sydnor, Valentino–Smith, and B. Wilson

AN ACT concerning

Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking

HB0456/328273/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 456

(Third Reading File Bill)

On page 2, strike in its entirety line 27 and substitute:

“(viii) one educator who works in a student service capacity and who is nominated by the Maryland State Education Association;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 846 – Delegates Vogt, K. Young, Angel, Brooks, Carozza, Folden, Frush, Jackson, Jacobs, Lam, Smith, Szeliga, A. Washington, C. Wilson, and P. Young

AN ACT concerning

**Motor Vehicle Administration – Commercial Driver’s License – Program for Veterans and Service Members
(Troops to Trucks)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Jamie Raskin
Chair

Senate Executive Nominations Committee
Report #8
April 2, 2015

African American History and Culture, Commission on

1. H. Russell Frisby, Jr., Esq. District 12
5107 Northen Fences Lane
Columbia, MD 21044

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2013

2. Donald M. Glover District 44
1142 N. Carrollton Avenue
Baltimore, MD 21217

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2014

3. Marilyn Hatza District 45
5000 Hamilton Avenue
Baltimore, MD 21206

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2014

4. Melvin L. Kelly District 32
768 Queenstown Road
Severn, MD 21144

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2015

5. Steven X. Lee District 41
4509 Prospect Circle
Baltimore, MD 21216

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2015

6. Cheryl A. McLeod District 13
6833 Old Waterloo Road, #1228
Elkridge, MD 21075

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2014

7. Robsylv A. Richardson District 32
416 Queenstown Road
Severn, MD 21144

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2014

8. David Taft Terry District 23
8212 River Park Road
Bowie, MD 20715

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2014

Apprenticeship and Training Council

9. Leon W. Bromely District 33
3562 Ashland Drive
Davidsonville, MD 21035

Member of the Apprenticeship and Training Council; appointed to serve a term of four years from July 1, 2014

10. David Smarte District 38
12007 Turtle Mill Road
Bishopville, MD 21813

Member of the Apprenticeship and Training Council; appointed to serve a term of four years from July 1, 2015

Archaeology, Advisory Committee on

11. Thomas F. Forhan District 20
7001 Westmoreland Avenue
Takoma Park, MD 20912

Member of the Advisory Committee on Archaeology; reappointed to serve a term of three years from July 1, 2015

Architects, State Board of

12. Stephanie Verna Hopkins District 45
4364 Nicholas Avenue
Baltimore, MD 21206

Member of the State Board of Architects; appointed to serve a term of five years from July 1, 2014

Automobile Insurance Fund, Board of Trustees of the Maryland

13. Audrey E. Scott District 36
217 Hickory Ridge Drive
Queenstown, MD 21658

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve remainder of a term to expire September 30, 2017

Aviation Commission, Maryland

14. Thomas Marr District 11
514 Limerick Circle, Unit 203
Timonium, MD 21093

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2014

Community Health Resources Commission, Maryland

15. Elizabeth Leung Chung District 3
59234 White Flint Drive
Frederick, MD 21702

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2013

Consumer Council

16. Deborah Jefferson District 14
306 Nova Court
Silver Spring, MD 20904

Member of the Consumer Council; appointed to serve a term of six years from July 1, 2014

17. Frank A. Porter District 26
5306 Lorraine Drive
Camp Springs, MD 20748

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2014

Deaf and Hard of Hearing, Maryland Advisory Council for the

18. Lisalee D. Egbert, Ph.D. District 8
3317 Willoughby Road
Parkville, MD 21234

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2013

19. Stephanie R. Summers District 39
13506 Shearwater Place
Germantown, MD 20874

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2013

Environmental Health Specialists, State Board of

20. Karen Louise Brandt District 28
1064 Norfolk Drive
La Plata, MD 20646

Member of the State Board of Environmental Health Specialists; reappointed to serve a term of five years from July 1, 2015

Foresters, State Board of

21. Wade R. Dorsey, Jr. District 1
117 Mary Court
LaVale, MD 21502

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2014

22. Daniel R. Rider District 37
5560 Dog Kennel Road
Rhodesdale, MD 21659

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2013

23. Ann C. Sherrard District 1
331 Sale Barn Road
Accident, MD 21520

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2014

Health Benefit Exchange Board, Maryland

24. Linda Sue Comer District 35
2100 Slade Lane
Forest Hill, MD 21050

Member of the Maryland Health Benefit Exchange Board; appointed to serve remainder of a term of four years from June 1, 2014

Health Care Commission, Maryland

25. Jeffery Todd Metz District 1
16255 Harwood Drive, SW
Frostburg, MD 21532

Member of the Maryland Health Care Commission; appointed to serve a term of four years from October 1, 2014

26. Stephen B. Thomas, Ph.D. District 21
7301 Radcliffe Drive
College Park, MD 20740

Member of the Maryland Health Care Commission; appointed to serve a term of four years from October 1, 2013

Heritage Areas Authority, Maryland

27. Lisa Challenger District 38
103 Buckingham Road
Berlin, MD 21811

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2014

Higher Education Commission, Maryland

28. Joseph DeMattos, Jr. District 11
18 Chasemount Court
Baltimore, MD 21209

Member of the Maryland Higher Education Commission; appointed to serve a term of five years from July 1, 2011

Judicial Disabilities, Commission on

29. Arielle F. Hinton, Esq. District 14
19 Dawn View Court
Silver Spring, MD 20904

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2015

Lottery and Gaming Control Commission, State

30. George L. Doetsch District 9
5610 Chamblis Drive
Clarksville, MD 21029

Member of the State Lottery and Gaming Control Commission; appointed to serve a term of five years from October 1, 2014

Morticians and Funeral Directors, State Board of

31. Mark Eric Bailey District 32
5 Eastern Street
Glen Burnie, MD 21061

Member of the State Board of Morticians and Funeral Directors; appointed to serve a term of four years from July 1, 2015

32. Robert H. Bradshaw, Jr. District 38
4435 Beechwood Place
Crisfield, MD 21817

Member of the State Board of Morticians and Funeral Directors; appointed to serve a term of four years from July 1, 2014

33. Lynn A. Shuppel District 42
3 Nuthatch Court
Cockeysville, MD 21030

Member of the State Board of Morticians and Funeral Directors; appointed to serve remainder of a term of four years from July 1, 2011 and a term of four years from July 1, 2015

Patuxent Institution Board of Review

34. Chester A. France, Jr. District 32
8111 F.E. Carter Road
Laurel, MD 20724

Member of the Patuxent Institution Board of Review; appointed to serve remainder of a term of four years from March 21, 2012

Residential Boarding Education Programs, Board of Trustees of

35. Dawn Kirstaetter District 46
1000 Fell Street, Unit 402
Baltimore, MD 21231

Member of the Board of Trustees of Residential Boarding Education Programs; appointed to serve a term of three years from July 1, 2013

Technology Development Corporation Board of Directors, Maryland

36. Claire M. Fraser, Ph.D. District 9
6560 Mink Hollow Road
Highland, MD 20777

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2012

University System of Maryland Board of Regents

37. Michelle A. Gourdine, M.D. District 11
9 Nearock Court
Owings Mills, MD 21117

Member of the University System of Maryland Board of Regents; appointed to serve remainder of a term of five years from July 1, 2012

Veterans' Home Commission, Maryland

38. Kathryn S. Gleeson District 15
19415 Caravan Drive
Germantown, MD 20874

Member of the Maryland Veterans' Home Commission; reappointed to serve a term of five years from July 1, 2014

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

African American History and Culture, Commission on

- S-1. Tamara D. England, D.Min. District 11
104 Hemison Court
Pikesville, MD 21208

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2015

- S–2. Dale Glenwood Green District 43
1305 Northview Road
Baltimore, MD 21218

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2015

- S–3. Michael G. Kent District 27
1925 Kings Landing Road
Huntingtown, MD 20639

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2014

- S–4. Lyndra Marshall District 25
1600 Fairlakes Place
Bowie, MD 20721

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2013

- S–5. Lopez D. Matthews, Ph.D. District 10
23 Greens Landing Court
Randallstown, MD 21133

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2015

Blind Industries and Services of Maryland, Board of Trustees of

- S–6. James R. Berens District 13
12920 Wexford Park
Clarksville, MD 21029

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2013

Consumer Council

- S–7. Norman Goldstein, Esq. District 19
1014 Chiswell Lane
Silver Spring, MD 20901

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2014

Correctional Training Commission

- S-8. Wallis Q. Norman District 10
10 Cascade Range Court
Baltimore, MD 21117

Member of the Correctional Training Commission; appointed to serve a term of three years from July 1, 2014

- S-9. Patricia Phelps Schupple District 9
4354 Stonecrest Drive
Ellicott City, MD 21043

Member of the Correctional Training Commission; reappointed to serve a term of three years from July 1, 2014

Deaf and Hard of Hearing, Maryland Advisory Council for the

- S-10. Michelle Palmer Morales District 3
5556 Hines Road
Frederick, MD 21704

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2014

Heritage Areas Authority, Maryland

- S-11. Burton K. Kummerow District 11
1503 Maywood Avenue
Baltimore, MD 21204

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2014

Morticians and Funeral Directors, State Board of

- S-12. Camille A. Bryan, Ed.D. District 23
1518 Perrell Lane
Bowie, MD 20716

Member of the State Board of Morticians and Funeral Directors; reappointed to serve a term of four years from July 1, 2014

S–13. Wayne A. Cooper, Esq. District 23
3719 Halloway North
Upper Marlboro, MD 20772

Member of the State Board of Morticians and Funeral Directors; reappointed to serve a term of four years from July 1, 2015

S–14. James K. Govoni District 23
12713 Keswick Lane
Bowie, MD 20715

Member of the State Board of Morticians and Funeral Directors; reappointed to serve a term of four years from July 1, 2014

S–15. Victor C. March, Sr. District 42
708 Milldam Road
Towson, MD 21286

Member of the State Board of Morticians and Funeral Directors; reappointed to serve a term of four years from July 1, 2015

S–16. Donald L. Newman District 1
1034 North Park Road
Grantsville, MD 21536

Member of the State Board of Morticians and Funeral Directors; appointed to serve a term of four years from July 1, 2015

S–17. Vernon L. Strayhorn, Sr. District 32
110 Bunker Hill Lane
Odenton, MD 21113

Member of the State Board of Morticians and Funeral Directors; reappointed to serve a term of four years from July 1, 2014

Physicians, State Board of

S–18. Charles J. Gast District 21
844 Sunny Chapel Road
Odenton, MD 21113

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2015

Real Estate Commission, State

S-19. Karen H. Baker District 15
16700 Thurston Road
Dickerson, MD 20842

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2014

St. Mary's College of Maryland, Board of Trustees

S-20. Elizabeth Braden Graves District 99
666 Greenwich Street, Apt. 622
New York, NY 10014

Member of the Board of Trustees of St. Mary's College of Maryland; appointed to serve a term of six years from June 1, 2015

Stationary Engineers, State Board of

S-21. Gregory A. Restivo District 13
8228 Styers Court
Laurel, MD 20723

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2015

Venture Fund Authority, Maryland

S-22. Peter S. Greenleaf District 16
7307 Burdette Court
Bethesda, MD 20817

Chair of the Maryland Venture Fund Authority; reappointed to serve a term of four years from July 1, 2014

S-23. Michael J. Howard District 26
6907 Mackson Drive
Temple Hills, MD 20748

Member of the Maryland Venture Fund Authority; reappointed to serve a term of four years from July 1, 2014

S–24. Andrew E. Jones District 42
8 Hunt Club Court
Phoenix, MD 21131

Member of the Maryland Venture Fund Authority; reappointed to serve a term of four years from July 1, 2014

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Baltimore County Board of Elections

L–1. Bruce N. Harris District 11
7015 Plymouth Road
Baltimore, MD 21208

Member of the Baltimore County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–2. Leronia A. Josey, Esq. District 44
3700 Lochearn Drive
Baltimore, MD 21207

Substitute Member of the Baltimore County Board of Elections; appointed to serve a term of four years from June 1, 2015

Cecil College Board of Trustees

L–3. Raymond W. Hamm, Jr. District 36
25 Open Meadow Court
Elkton, MD 21921

Member of the Cecil College Board of Trustees; appointed to serve a term of six years from July 1, 2014

Charles County Board of Elections

L–4. Fern Brown District 28
4690 Pickeral Street
White Plains, MD 20695

Member of the Charles County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-5. Norman J. Saunders, Sr. District 28
11955 Woodbury Road
Nanjemoy, MD 20662

Member of the Charles County Board of Elections; appointed to serve a term of four years from June 1, 2015

Garrett County Liquor Control Board

L-6. David Moe District 1
71 Cherokee Lane
Oakland, MD 21550

Member of the Garrett County Liquor Control Board; appointed to serve remainder of a term of six years from June 1, 2010

Hagerstown Community College Board of Trustees

L-7. Patricia K. Cushwa District 2
P.O. Box 406
Williamsport, MD 21795

Member of the Hagerstown Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2015

Howard Community College Board of Trustees

L-8. Kevin Forrest Schmidt District 9
10320 Kettledrum Court
Ellicott City, MD 21042

Member of the Howard Community College Board of Trustees; appointed to serve remainder of a term of six years from July 1, 2013

Howard County Board of Elections

L-9. Ann M. Balcerzak, Esq. District 13
7303 Meadow Wood Way
Clarksville, MD 21029

Member of the Howard County Board of Elections; appointed to serve a term of four years from June 1, 2015

- L–10. Raymond M. Rankin District 13
8333 Painted Rock Road
Columbia, MD 21045

Member of the Howard County Board of Elections; appointed to serve a term of four years from June 1, 2015

Prince George’s Community College Board of Trustees

- L–11. Oretha Bridgwaters–Simms District 25
12022 Hunterton Street
Upper Marlboro, MD 20774

Member of the Prince George’s Community College Board of Trustees; reappointed to serve a term of five years from July 1, 2015

- L–12. Aimee Olivo District 47
3013 Park Way
Cheverly, MD 20785

Member of the Prince George’s Community College Board of Trustees; reappointed to serve a term of five years from July 1, 2015

- L–13. Howard W. Stone, Jr. District 23
3104 Courtside Road
Mitchellville, MD 20721

Member of the Prince George’s Community College Board of Trustees; appointed to serve a term of five years from July 1, 2014

Somerset County Board of License Commissioners

- L–14. Ralph F. Lusk District 38
26743 Rumbley Road
Westover, MD 21871

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2015

- L–15. Van B. Muir, Jr. District 38
30742 Perry Road
Princess Anne, MD 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2015

L-16. Robert Whayland Murphey District 38
12010 Sherree Lane
Princess Anne, MD 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2015

Talbot County Board of Elections

L-17. Walter W. Black, Jr. District 37
8672 Misty Brook Way
Easton, MD 21601

Member of the Talbot County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-18. Richard B. Bulman District 37
28471 Waterview Drive
Easton, MD 21601

Member of the Talbot County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-19. John F. Hall District 37
513 S. Washington Street
Easton, MD 21601

Member of the Talbot County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-20. Susan J. MacKinnon District 37
105 Willows Avenue
Oxford, MD 21654

Member of the Talbot County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-21. Joseph H. Secrist, Jr. District 37
9017 Treesdale Drive
Easton, MD 21601

Member of the Talbot County Board of Elections; appointed to serve a term of four years from June 1, 2015

Washington County Board of Elections

L–22. Tammy E. Downin District 2
20103 Daniels Circle
Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–23. Bruce F. Field District 2
11101 Dolores Court
Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–24. Wayne K. Keefer District 1
209 Baptist Road
Hancock, MD 21750

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–25. James P. Schultheis District 2
20107 Scenic View Court
Boonsboro, MD 21713

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–26. Eileen W. Wiggins District 2
18534 Kent Avenue
Hagerstown, MD 21740

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 1, 2015

Wicomico County Board of Elections

L–27. Bradley A. Bellacicco District 37
27003 McLeyland Terrace
Salisbury, MD 21801

Member of the Wicomico County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-28. Joseph L. Collins District 37
23550 Taylors Trail
Mardela Springs, MD 21837

Member of the Wicomico County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-29. Philip J. Doyle District 38
513 South Pinehurst Avenue
Salisbury, MD 21801

Member of the Wicomico County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-30. Catherine R. Keim District 38
627 Ridge Road
Salisbury, MD 21801

Member of the Wicomico County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-31. Katrina Purnell District 37
406 Moss Hill Lane, Apt. H.
Salisbury, MD 21804

Member of the Wicomico County Board of Elections; appointed to serve a term of four years from June 1, 2015

Wicomico County Board of License Commissioners

L-32. James Allen District 37
5644 Scottish Highland Circle
Salisbury, MD 21801

Member of the Wicomico County Board of License Commissioners; reappointed to serve a term of four years from July 1, 2014

L-33. Christopher D. Eccleston District 38
7805 Broadleaf Drive
Parsonsburg, MD 21849

Member of the Wicomico County Board of License Commissioners; appointed to serve a term of four years from July 1, 2015

L–34. Aline K. Kenney District 38
8121 Esham Road
Parsonsburg, MD 21849

Member of the Wicomico County Board of License Commissioners; reappointed to serve a term of four years from July 1, 2014

Wor–Wic Community College Board of Trustees

L–35. Morgan Hazel District 37
27135 E. Lillian Street
Herbron, MD 21837

Member of the Wor–Wic Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2014

Worcester County Board of Elections

L–36. Gwen L. Cordner District 38
8704 Caribbean Drive, P.O. Box 4344
Ocean City, MD 21843

Member of the Worcester County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–37. Hinson F. Finney District 38
2317 Oak Hill Road
Pocomoke City, MD 21851

Member of the Worcester County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–38. Kay Ann Hickman District 38
82 Windjammer Road
Ocean Pines, MD 21811

Member of the Worcester County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–39. Edward A. Rodier, Jr. District 38
13344 Cove Landing Road
Bishopville, MD 21813

Member of the Worcester County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-40. Lucretia A. Trummel
1 Annapolis Court
Ocean Pines, MD 21811

District 38

Member of the Worcester County Board of Elections; appointed to serve a term of four years from June 1, 2015

Worcester County Board of License Commissioners

L-41. R. Charles Nichols, Jr.
10527 Calvin Lane
Berlin, MD 21811

District 38

Member of the Worcester County Board of License Commissioners; reappointed to serve a term of four years from July 1, 2015

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 700)

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 756 – Senator Muse

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Foreclosure Relief Act of 2015

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (4) OFFERED FROM THE FLOOR BY SENATOR MUSE.

FLOOR AMENDMENT

SB0756/283421/1

BY: Senator Muse

AMENDMENTS TO SENATE BILL 756, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the Judicial Proceedings Committee Amendments (SB0756/438971/1).

On page 1 of the bill, strike beginning with “requiring” in line 3 down through “time” in line 6 and substitute “requiring a secured party that files an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property in Prince George’s County during a certain time period to file a certain notice with the court; requiring a secured party to provide a copy of a certain notice to the Office of the Attorney General”; in line 8, after “findings” insert “and recommendations”; strike beginning with “providing” in line 9 down through “Act;” in line 10; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 3 of the bill, strike in their entirety lines 12 through 27, inclusive; and in line 29, strike “mean” and substitute “means”.

AMENDMENT NO. 3

On page 4 of the bill, strike in their entirety lines 1 and 2 and substitute:

“(b) From June 1, 2015, through December 1, 2015, inclusive, a secured party that files an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property in Prince George’s County shall also file a notice with the court listing:

(1) the number of loan modifications, including mortgage principal reductions, granted by the secured party to homeowners in Prince George’s County during the preceding 6 months;

(2) the number of loan modifications for homeowners in Prince George’s County denied by the secured party during the preceding 6 months; and

(3) the number of foreclosures conducted in Prince George’s County by the secured party during the preceding 6 months.

(c) A secured party shall provide a copy of any notice filed under subsection (b) of this section to the Office of the Attorney General.”.

AMENDMENT NO. 4

On page 4 of the bill, in line 4, before “The” insert “(a)”; in line 5, strike “(a)” and substitute “(1)”; in lines 6, 9, 11, and 13, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively; in line 15, strike “and”; after line 15, insert:

“(2) review the information provided by secured parties under Section 2 of this Act to determine the nature and scope of foreclosure activity in Prince George’s County; and

(3) make findings and recommendations on methods to reduce the number of foreclosure sales and otherwise assist homeowners facing foreclosure in Prince George’s County.”;

in line 16, strike “on” and substitute “On”; in the same line, strike “July 1, 2016,” and substitute “December 1, 2015, the Office of the Attorney General shall”; in line 17, after “findings” insert “and recommendations”; in lines 17 and 18, strike “of the Attorney General” and substitute “made”; and strike beginning with “Section” in line 26 down through “effect.” in line 31.

The preceding 4 amendments were read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for April 3, 2015.

The motion was adopted.

INTRODUCTION OF BILLS

Senator Hough moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Hough moved to suspend the rules to allow **Senate Bill 942** to be referred immediately.

The motion was adopted.

Senate Bill 942 – Senators Hough, Muse, Brochin, Norman, Cassilly, Zirkin, and Ready

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Criminal Procedure – Government–Funded Legal Representation – Initial Appearance

FOR the purpose of proposing an amendment to the Maryland Constitution establishing that a certain constitutional provision may not be construed to require government–funded legal representation of an indigent defendant at an initial appearance before a District Court commissioner; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Declaration of Rights
Article 24

Read the first time and referred to the Committee on Judicial Proceedings.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 701)

ADJOURNMENT

At 12:10 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 29, 2015, Calendar Day, Friday, April 3, 2015.

Annapolis, Maryland
Legislative Day: March 29, 2015
Calendar Day: Friday, April 3, 2015
10:00 A.M. Session

The Senate met at 10:10 A.M.

Prayer by Reverend Benjamin Uybengkee, River of Life International Christian Fellowship, guest of Senator Jennings.

(See Exhibit A of Appendix III)

The Journal of March 28, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 703)

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 1	Sen. Conway	Health Occupations – Pharmacists – Refills of Prescriptions During State of Emergency
SB 11	Sen. Astle	Public Service Commission – Hearing Examiners – Change of Job Title
SB 14	Sen. Conway	Health Occupations – Board of Pharmacy – Pharmacist Rehabilitation Committee – Definition
SB 30	Sen. Peters	Procurement – Veteran–Owned Small Business Enterprise Participation – Award of Contracts

SB 48	Sen. Conway	St Bd of Physical Thrpy Exmrs – Failure to Pass Licensr Exam – Prohib on Issnce of License
SB 54	Sen. Middleton	Public Service Commission – Restrictions After Service
SB 59	The President	St Bd of Exmrs of Nursing Home Administrators – Sunset Ext and Program Evaluation
SB 69 (Emerg)	Sen. Conway	St Bd of Phrmcy – Sterile Compounding – Compliance by Nonresident Pharmacies and Rpl of Prmt Reqmt
SB 74	Sen. Feldman	Task Force to Study Maternal Mental Health
SB 77	Chair, Finance Committee	Commercial Law – Secured Transactions – False Financing Statements
SB 92	Sen. Middleton	Hlth Ins – Assignment of Benefits and Reimb of Nonpreferred Prvdrs – Rpl of Termin Date
SB 110	Sen. Middleton	Developmental Disabilities Administration – Low Intensity Support Services – Definition
SB 122 (Emerg)	Sen. Eckardt	Public Health – Regulation of Milk Products – Revisions
SB 135	Sen. Astle	Workers’ Comp – Heart Disease and Hypertension Presumption – Anne Arundel Co Detention Officers
SB 148	Sen. Klausmeier	Office of Cemetery Oversight – Preneed Burial Contracts – Report Submission Requirement
SB 177	Sen. Kasemeyer	Estate Tax – Filing of Tax Returns
SB 178	Sen. Kasemeyer	Estate Tax – Alternative Payment Schedule – Penalty Prohibition
SB 186	Sen. McFadden	Baltimore City – Residential Retention Property Tax Credit – Modification
SB 203	Sen. Conway	Bsns Occups and Professions – Real Este Sprsns and Brkrs – Formatn of Bsns Entities and Pymt of Comms

SB 215 (Emerg)	Sen. Astle	Pilots – Recreational Vessels – Employment Requirement
SB 325	Sen. Pugh	Life Insurers – Reserve Investments – Loans Secured by Real Estate
SB 328	Sen. Klausmeier	Private Detective Agencies – License Terms
SB 353	Sen. Hershey	Electric Cmpns – Installation of Solar Electric Generating Fac – New Interconnection Agt
SB 368	Sen. Kelley	Workers’ Compensation Insurance – Cancellation and Nonrenewal – Notice
SB 437 (Emerg)	Sen. Middleton	Nonprf Hlth Serv Plans – Hearing and Order – Impact of Law or Regulatory Actn by Another St
SB 450	Sen. Guzzone	Health Insurance – Expense Reimbursement Claims Forms – Methods for Submission
SB 460	Sen. Feldman	Public Utilities – Electricity – Construction of Overhead Transmission Lines
SB 461	Sen. Feldman	Insurance – Surplus Lines – Disability Insurance
SB 465	Sen. Klausmeier	Chesapeake Employers’ Insurance Company
SB 467	Sen. Klausmeier	Department of Health and Mental Hygiene – Newborn Screening Program Fund – Establishment
SB 515	Sen. Klausmeier	Financial Institutions – Depository Institutions – Savings Promotion Raffles
SB 536	Sen. Conway	Certified Public Accountants – Definitions – Attest and Practice Certified Public Accountancy
SB 541	Sen. McFadden	Baltimore City – Property Tax Credit – Supermarkets
SB 554	Chair, Finance Committee	Insurance – Reinsurers – Fees
SB 561	Sen. Peters	Video Lottery Facility Payouts – Intercepts for Restitution Payments

SB 579	Sen. Pugh	Maryland Small Business Development Financing Authority – Small Business Surety Bond Program
SB 582	Sen. Pugh	Pilot Program for Small Business Development by Ex–Offenders
SB 604	Sen. King	Human Relations – Employment Discrimination – Protection for Interns
SB 610	Sen. Pinsky	Real Estate Brokers and Salespersons – Continuing Education – Requirements
SB 770	Sen. Astle	Insurance – Motor Vehicle Rental Companies – Limited Lines License to Sell Insurance

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 71 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2015, and the Maryland Consolidated Capital Bond Loans of 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, and 2014

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~One Billion, Sixty Eight Million, Five Hundred Forty Five Thousand Dollars (\$1,068,545,000)~~, One Billion, Sixty–Three Million, Six Hundred Seventy Thousand, One Hundred Thirty–Four Dollars (\$1,063,670,134), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and expended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; imposing a certain

tax on all assessable property in the State; ~~making a certain Watershed Implementation Plan appropriation contingent on the failure of certain legislation;~~ authorizing the creation of State Debt in certain years to be used for certain purposes; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; authorizing certain grantees to appeal certain determinations by the Maryland Historical Trust or the Director to the Maryland Historical Trust Board of Trustees; providing that a certain decision by the Maryland Historical Trust Board of Trustees is final and not subject to administrative or judicial review; providing that the proceeds of certain loans must be expended or encumbered by a certain date; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; requiring a certain memorandum of understanding to be executed on or before a certain date; providing that a certain authorization be restricted under certain circumstances and for a certain purpose; providing that certain committees of the General Assembly have a certain period of time to review and comment on the memorandum of understanding; providing that certain funds may be allocated under certain circumstances; specifying the use of certain project funds; altering the authorized uses of certain grants; altering the authorized purposes of certain grants; altering the authorized scope of certain grants; altering the names of certain grantees; adding additional grantees to certain grants; altering the matching fund requirements of certain grants; extending the deadline for certain grantees to present evidence of certain matching funds; extending the termination dates of certain grants; altering the location of certain capital projects; removing the requirement that a certain entity grant and convey a certain easement to the Maryland Historical Trust; authorizing premiums from the sale of State bonds in certain fiscal years to remain in or be transferred to a certain fund and to be used for certain capital projects under certain circumstances; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; making certain technical corrections; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item DE02.01(B)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item UB00(A)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 445 of the Acts of the General Assembly of 2005, Chapter 46 of the Acts of the General Assembly of 2006, Chapter 488 of the Acts of the General Assembly of 2007, Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, and Chapter 396 of the Acts of the General Assembly of 2011

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 444 of the Acts of the General Assembly of 2012, and Chapter 424 of the Acts of the General Assembly of 2013

Section 1(3) Item UB00(A)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006

Section 1(3) Item ZA01(BK) and ZA02(AX)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 707 of the Acts of the General Assembly of 2009, and Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA01(BT)

BY repealing and reenacting,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, Chapter 372 of the Acts of the General Assembly of 2010, and Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA01(CP) and ZA02(AZ)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 219 of the Acts of the General Assembly of 2008

Section 1(3) Item KA05(A)(4) and ZA02(BI)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008

Section 1(3) Item ~~UB00(A)~~ RM00(A), UB00(A), and ZA01(AK) and (CC)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of

the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item KA05(B)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 372 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA01(AG) and (CA) and ZA02(BM)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 372 of the Acts of the General Assembly of 2010, and Chapter 639 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA01(AA) and ZA02(X)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009

Section 1(3) Item DE02.01(B), ML01(A), and UB00(A)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item RC00(A) and 12(3) Item RM00(E)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item DH01(A)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 12(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item RM00(A)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 639 of the Acts of the General Assembly of 2012, and Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA00(S)

BY adding to

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 639 of the Acts of the General Assembly of 2012, and Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA00(S-1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 424 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item KA05(C)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item QB08.01(A)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item RM00(A)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter
444 of the Acts of the General Assembly of 2012
Section 1(3) Item KA05(C)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter
424 of the Acts of the General Assembly of 2013
Section 1(3) Item MM06(A)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item KA05(C) ~~and RB31(A)~~, RB31(A), ZA02(AF), (BA), and (BN), and
ZA03(BC)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(M)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
444 of the Acts of the General Assembly of 2012 and Chapter 424 of the Acts
of the General Assembly of 2013
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(H) and ZA03(H)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
430 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(BK-2) and (BK-4)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
430 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts
of the General Assembly of 2014
Section 1(3) Item ZA02(BJ) and ZA03(AW)

BY adding to

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 430 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA03(AW-1) and (AW-2)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA02(L)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item DE02.01(C), KA05(B), MM06(C), PA13.01(A), and RB23(A)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item VE01(A)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 430 of the Acts of the General Assembly of 2013
Section 1(3) Item ~~ZA01(E)~~ ZA01(F), ZA02(AB), (AW), and (AY), and ZA03(AK) and (AM)

BY repealing
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 430 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA03(D)

BY adding to
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 430 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA03(D-1), (D-2), and (D-3)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 463 of the Acts of the General Assembly of 2014
Section 1(1) and (3) Item DE02.01(D) and RM00(D)

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item KA05(B), RM00(B), UA04(A) and (B), UB00(A), ZA00(P), ZA01(F), and ZA02(M), (R), and (BU), and ZA03(AK) and (BI)

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter
463 of the Acts of the General Assembly of 2014
Section 1(1) and (3) Item ZA02(BA) and ZA03(AM)

BY repealing
Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter
463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA00(K)

BY adding to
Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter
463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA00(K-1) and (K-2)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014
Section 1(1) and (3) Item DH01.04(A), KA05(B), UB00(A), VE01(C), ~~and~~ ZA00(B), (J),
(K), (M), (O), ~~and (AF)~~ (AF), (AG), (AL), and (AV), ZA02(J), (AL), and (AW),
and ZA03(AK)

BY repealing
Chapter 463 of the Acts of the General Assembly of 2014
Section 12, 13, 14, 15, and 16

Read the first time and referred to the Committee on Rules.

Senator DeGrange moved to suspend the rules to allow **House Bill 71** to be referred immediately.

The motion was adopted.

The bill was re-referred to the Committee on Budget and Taxation.

House Bill 110 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

FOR the purpose of authorizing the creation of a State Debt in the amount of \$4,625,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized

under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senator DeGrange moved to suspend the rules to allow **House Bill 110** to be referred immediately.

The motion was adopted.

The bill was re-referred to the Committee on Budget and Taxation.

House Bill 923 – Delegates Hixson, Barkley, Barve, Carr, Cullison, Dumais, Fraser-Hidalgo, Frick, Gilchrist, Gutierrez, Kaiser, Kelly, Korman, Kramer, Luedtke, A. Miller, Moon, Morales, Platt, Reznik, S. Robinson, Smith, Waldstreicher, ~~and Zucker~~ Zucker, Beidle, Haynes, Sophocleus, Lafferty, Walker, Turner, Jones, and Gaines

AN ACT concerning

Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms

FOR the purpose of establishing the Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms; providing for the purpose of the Program and requiring the Interagency Committee on Public School Construction to implement and administer the Program; specifying certain requirements for grants awarded under the Program; requiring the Interagency Committee to award certain grants to certain county boards of education under the Program; requiring the Interagency Committee to develop certain eligibility requirements and certain procedures and processes for grants awarded under the Program; requiring the Interagency Committee to adopt certain procedures; requiring the Governor, beginning in a certain fiscal year, to provide a certain amount of money in the State budget for the Program each fiscal year; specifying that funding provided under the Program is supplemental to public school construction funding from other sources; defining certain terms; and generally relating to the Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms.

BY adding to

Article – Education

Section 5–313

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

Senator DeGrange moved to suspend the rules to allow **House Bill 923** to be referred immediately.

The motion was adopted.

The bill was re-referred to the Committee on Budget and Taxation.

House Bill 1182 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

FOR the purpose of approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; approving the issuance of bonds by the University System of Maryland in a certain total principal amount for financing the projects; providing that the bonds issued under the authority of this Act are not a debt or an obligation of the State or any of its subdivisions; declaring the intent of the General Assembly; and generally relating to academic facilities bonding authority of the University System of Maryland and specified projects.

Read the first time and referred to the Committee on Rules.

Senator DeGrange moved to suspend the rules to allow **House Bill 1182** to be referred immediately.

The motion was adopted.

The bill was re-referred to the Committee on Budget and Taxation.

CONCURRENCE CALENDAR #3

AMENDED IN THE HOUSE

Senate Bill 220 – The President

AN ACT concerning

General Assembly – Mandated Reports by State Agencies

Senator Klausmeier moved that the Senate concur in the House amendments.

SB0220/356889/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 220

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 21, strike “and”; and in the same line, after “6–307” insert “. and 10–713”.

On page 10, in line 29, after “(g)” insert “[The]”; and in the same line, strike “**YEAR** the” and substitute “**YEAR, THE**”.

AMENDMENT NO. 2

On page 17, after line 19, insert:

“[10–713.

(a) On or before October 1 of each year, the Trust shall submit a report to the Governor, the Maryland Economic Development Commission, and, subject to § 2–1246 of the State Government Article, the General Assembly.

(b) The report shall include a complete operating and financial statement covering the operations of the Trust and summarize the activities of the Trust for the preceding fiscal year.]

DRAFTER’S NOTE:

The requirement that the Maryland Venture Capital Trust submit a report that includes the operating and financial statement covering the operations of the Trust and summarizing the activities of the Trust for the preceding fiscal year is repealed. In 1991, the Trust was established to invest in local venture capital funds. As of January 2013, all investments have been realized and have been distributed to the beneficial owners leaving nothing left to report and making the reporting requirement obsolete and unnecessary.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 704)

CONCURRENCE CALENDAR #4

AMENDED IN THE HOUSE

Senate Bill 241 – Senator Astle

AN ACT concerning

Health Insurance – Coverage for Ostomy Equipment and Supplies – Required

Senator Middleton moved that the Senate concur in the House amendments.

SB0241/136386/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 241

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 6 down through “coverage;” in line 10.

AMENDMENT NO. 2

On page 2, in line 17, strike “AND”; in line 18, after “BELTS” insert “, AND CATHETERS USED FOR DRAINAGE OF UROSTOMIES”; and strike beginning with “(1)” in line 19 down through “(E)” in line 26.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 705)

CONCURRENCE CALENDAR #5

AMENDED IN THE HOUSE

Senate Bill 401 – Senators Astle, Bates, Guzzone, Hershey, Jennings, ~~and Klausmeier~~ Klausmeier, Middleton, Benson, Feldman, Kelley, and Mathias

AN ACT concerning

Underground Utility Damage Prevention – Connecting Buildings to Water Supply Systems and Sewerage Systems – Detectable Wires

Senator Middleton moved that the Senate concur in the House amendment.

SB0401/663695/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 401

(Third Reading File Bill)

On page 1, in line 8, strike the first comma and substitute “and”; and in the same line, strike the second comma.

On page 3, in line 2, strike “AND” and substitute “OR”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 706)

CONCURRENCE CALENDAR #6

AMENDED IN THE HOUSE

Senate Bill 103 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Judges’ Retirement System – Membership, ~~Accrual of Interest~~ Benefits, and Reemployment

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0103/284560/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 103

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after “requirements;” insert “altering a certain definition.”.

On page 2, in line 5, after “Section” insert “27-101.”.

AMENDMENT NO. 2

On page 2, after line 20, insert:

“27-101.

(a) In this subtitle the following words have the meanings indicated.

(b) “Termination of service” includes:

(1) retirement at the age [of 70 years as] required by Article IV, § 3 of the Maryland Constitution;

(2) voluntary retirement;

(3) resignation because of disability;

(4) retirement by order of the Court of Appeals;

(5) resignation;

(6) nonelection or nonconfirmation when election or confirmation is required;

(7) expiration of term without reappointment; or

(8) abolition of the member’s office.”.

AMENDMENT NO. 3

On page 4, in line 7, strike “70 YEARS” and substitute “THE MANDATORY RETIREMENT AGE REQUIRED BY ARTICLE IV, § 3 OF THE MARYLAND CONSTITUTION”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 707)

AMENDED IN THE HOUSE

Senate Bill 763 – Senators Peters, DeGrange, Kasemeyer, King, and Miller

AN ACT concerning

Tax Amnesty Program

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0763/675466/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 763

(Third Reading File Bill)

On page 3, strike beginning with “(i)” in line 15 down through “(ii)” in line 17; and in lines 21 and 24, strike “1.” and “2.”, respectively, and substitute “(i)” and “(ii)”, respectively.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 708)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 709)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #55

Senate Bill 422 – Senator Rosapepe

AN ACT concerning

General Provisions – Commemorative Days – South Asian American Heritage Day

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 710)

The Bill was then sent to the House of Delegates.

Senate Bill 889 – ~~Senators Conway and Muse~~, Muse, Pinsky, Bates, Kagan, Montgomery, Nathan-Pulliam, Rosapepe, Salling, Simonaire, Waugh, and Young

AN ACT concerning

General Provisions – Commemorative Days – Thurgood Marshall Day

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 711)

The Bill was then sent to the House of Delegates.

Senate Bill 912 – Senator Hershey

AN ACT concerning

Kent County – Prospective Employees and Volunteers – Criminal History Records Check

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 712)

The Bill was then sent to the House of Delegates.

Senate Bill 922 – Senator Serafini

AN ACT concerning

City of Hagerstown – Alcoholic Beverages – Outdoor Festivals and Street Festival Licenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 713)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #7

House Bill 150 – Delegate Morhaim

AN ACT concerning

Secretary of State and Attorney General – Charitable Enforcement and Protection of Charitable Assets – Workgroup Reports – Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 714)

The Bill was then sent to the House of Delegates.

House Bill 236 – Delegates Jalisi, Waldstreicher, Anderson, Atterbeary, Carter, Cluster, Conaway, S. Howard, Mautz, McComas, Metzgar, Moon, Rey, Sydnor, and B. Wilson B. Wilson, Barkley, B. Barnes, D. Barnes, Barron, Bromwell, Campos, Clippinger, Cullison, Davis, Fennell, Fraser-Hidalgo, Frush, Hill, Impallaria, Jackson, Kaiser, Kelly, Kipke, Korman, Kramer, Luedtke, McMillan, A. Miller, W. Miller, Morales, Oaks, Platt, S. Robinson, Smith, Tarlau, Valentino-Smith, Vaughn, Walker, A. Washington, P. Young, and Zucker

AN ACT concerning

Criminal Law – Assault – First Responders

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 715)

The Bill was then sent to the House of Delegates.

House Bill 293 – Delegate Morhaim

AN ACT concerning

**Guardianship of Disabled Persons and Revocation of Advance Directives, and
Surrogates – Disabled Persons and Mental Health Services**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 716)

The Bill was then sent to the House of Delegates.

**House Bill 360 – Delegates Vallario, Morales, Anderson, Atterbeary, Campos,
Carter, Conaway, Dumais, Frush, Glass, Jalisi, Kramer, Moon, Rey, Reznik,
Rosenberg, Smith, Sydnor, Valentino-Smith, and Waldstreicher**

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 717)

The Bill was then sent to the House of Delegates.

**House Bill 362 – Delegates Waldstreicher, Adams, Anderson, Campos, Dumais,
Fraser-Hidalgo, Frush, Gilchrist, Gutierrez, Haynes, Healey, S. Howard,
Jalisi, Kelly, Kipke, Kramer, Lam, McComas, McConkey, McMillan,
A. Miller, Moon, Morales, Platt, S. Robinson, Smith, Stein, Valderrama,
Valentino-Smith, Vallario, and M. Washington**

AN ACT concerning

**Criminal Law – ~~Costs of Care for Seized Animals~~ Animal Cruelty – Payment of
Costs**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 718)

The Bill was then sent to the House of Delegates.

House Bill 456 – Delegates Morales, Dumais, Anderson, Atterbeary, Carter, Clippinger, Cluster, Conaway, Folden, Gutierrez, Kaiser, McComas, Moon, Rosenberg, Simonaire, Smith, Sydnor, Valentino–Smith, and B. Wilson

AN ACT concerning

Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 719)

The Bill was then sent to the House of Delegates.

House Bill 846 – Delegates Vogt, K. Young, Angel, Brooks, Carozza, Folden, Frush, Jackson, Jacobs, Lam, Smith, Szeliga, A. Washington, C. Wilson, and P. Young

AN ACT concerning

**Motor Vehicle Administration – Commercial Driver’s License – Program for Veterans and Service Members
(Troops to Trucks)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 720)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #8

CONSENT CALENDAR #4

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 5	Del. O'Donnell	Department of Health and Mental Hygiene – Newborn Screening Program Fund – Establishment	FIN

HB 35	Del. Barkley	Public Service Commission – Hearing Examiners – Change of Job Title	FIN
HB 68	The Speaker	St Bd of Exmrs of Nursing Home Administrators – Sunset Ext and Program Evaluation	FIN
HB 140 (Amended)	Del. Davis	Public Service Commission – Restrictions After Service	FIN
HB 173	Anne Arundel County Delegation	Workers’ Comp – Heart Disease and Hypertension Presumption – Anne Arundel Co Detention Officers	FIN
HB 200	Del. Cluster	State Correctional Facilities – Correctional Officers – Polygraph Examination	FIN
HB 230	Del. Hammen	Hlth Ins – Assignment of Benefits and Reimb of Nonpreferred Prvdrs – Rpl of Termin Date	FIN
HB 231	Del. Hammen	Developmental Disabilities Administration – Low Intensity Support Services – Definition	FIN
HB 358	Del. Jameson	Workers’ Compensation Insurance – Cancellation and Nonrenewal – Notice	FIN
HB 450	Del. Carr	State Highway Administration – Bicycle and Pedestrian Priority Areas	FIN
HB 468	Del. Jameson	Chesapeake Employers’ Insurance Company	FIN

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 4 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 721)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #9

CONSENT CALENDAR #5

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 90	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – License Requirements MC 17–15	EHE
HB 129	Del. Morhaim	Procurement – Veteran–Owned Small Business Enterprise Participation – Award of Contracts	EHE
HB 170	Del. Beitzel	Natural Resources – Game Birds – Baiting	EHE
HB 287	Del. O'Donnell	Natural Resources – Aquaculture – Liability for Trespass	EHE
HB 558	Del. Clippinger	Financial Institutions – Depository Institutions – Savings Promotion Raffles	FIN
HB 565	Del. Bromwell	Insurance – Surplus Lines – Disability Insurance	FIN
HB 602	Del. Glenn	Univ of Md School of Medicine – Workgroup to Study Issues Related to Uterine Fibroids	FIN
HB 660	Del. Zucker	Health Insurance – Expense Reimbursement Claims Forms – Methods for Submission	FIN

HB 697	Del. Davis	Life Insurers – Reserve Investments – Loans Secured by Real Estate	FIN
HB 732	Del. Vaughn	Insurance – Motor Vehicle Rental Companies – Limited Lines License to Sell Insurance	FIN
HB 739	Del. Kelly	Task Force to Study Maternal Mental Health	FIN
HB 859 (Emerg)	Del. Bromwell	Nonprf Hlth Serv Plans – Hearing and Order – Impact of Law or Regulatory Actn by Another St	FIN
HB 895	Baltimore County Delegation	Baltimore County – Education – Junior Reserve Officer Training Corps Instructors	FIN
HB 932	Prince George’s County Delegation	Prince George’s County – City of College Park – Class D Beer and Wine License PG 317–15	EHE
HB 971	Del. Oaks	Public Health – Substance Abuse Treatment Outcomes Partnership Fund	FIN

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 5 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 722)

The Bills were then sent to the House of Delegates.

House Bill 919 – Delegates Lafferty, Afzali, Anderton, Barkley, Beidle, Beitzel, Carr, Cassilly, Fennell, Fraser–Hidalgo, Frush, Gilchrist, Healey, Holmes, Jacobs, Krebs, Krimm, Lam, Lisanti, Mautz, McIntosh, McMillan, Otto, Pena–Melnyk, Platt, S. Robinson, Shoemaker, Valentino–Smith, Vogt, A. Washington, and K. Young

AN ACT concerning

Land Use – Plans – Development and Adoption

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 9 (See Roll Call No. 723)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #10**House Bill 7 – Delegate Sophocleus**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and Records –
Time Period**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 724)

The Bill was then sent to the House of Delegates.

House Bill 124 – Delegates Anderson, A. Miller, Bromwell, Conaway, Dumais, Glenn, Haynes, C. Howard, Lierman, McIntosh, Oaks, B. Robinson, Rosenberg, Valentino-Smith, ~~and Vallerio~~ Vallario, Cullison, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gilchrist, Healey, Hornberger, Kaiser, Kelly, Korman, Lam, McMillan, Miele, Moon, Morales, Morhaim, Pena-Melnyk, Pendergrass, Platt, Reznik, S. Robinson, Tarlau, Turner, Waldstreicher, M. Washington, and K. Young

AN ACT concerning

**Criminal Procedure – Expungement – Conviction of a Crime That Is No Longer
a Crime**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 725)

The Bill was then sent to the House of Delegates.

House Bill 158 – Delegates Haynes, B. Barnes, Cullison, Gutierrez, Hixson, Korman, Pena-Melnyk, Proctor, Reznik, Rosenberg, Sophocleus, and Zucker

AN ACT concerning

State Personnel and Procurement – Service Contracts – Reporting and Audit Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 726)

The Bill was then sent to the House of Delegates.

House Bill 229 – Delegates Dumais, Anderson, Atterbeary, Barve, Carr, Clippinger, Cullison, Fraser-Hidalgo, Frick, Frush, Gilchrist, Gutierrez, Hammen, Hixson, Kaiser, Kelly, Korman, Kramer, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Pena-Melnyk, Pendergrass, Platt, Reznik, Smith, Tarlau, Valentino-Smith, B. Wilson, ~~and Zucker~~ Zucker, Angel, Barron, Bromwell, Hayes, Hill, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Oaks, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Human Relations – Employment Discrimination – Protection for Interns

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 727)

The Bill was then sent to the House of Delegates.

House Bill 323 – ~~Delegate Impallaria~~ Delegates Impallaria, Anderton, Beidle, Cassilly, Flanagan, Healey, Holmes, Jacobs, Lafferty, Lam, and Szeliga

AN ACT concerning

Maryland Building Performance Standards – Modifications – Energy Codes – ~~Local Authority~~

Senator Jennings moved, duly seconded, to reconsider the vote by which **House Bill 323** passed Second Reading.

The motion was adopted.

Senator Jennings moved, duly seconded, to reconsider the vote by which the Report was adopted.

The motion was adopted.

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Senator Jennings moved, duly seconded, to reconsider the vote by which the Committee Amendments were adopted.

The motion was adopted.

HB0323/397773/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 323

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Modifications”; in the same line, after “Codes –” insert “Local Authority”; strike beginning with “requiring” in line 4 down through “modifications” in line 6 and substitute “authorizing a local jurisdiction to adopt local amendments”; strike beginning with “allow” in line 7 down through “the” in line 8 and substitute “are”; and in line 13, strike “12–503” and substitute “12–504”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 19 on page 1 through line 4 on page 3, inclusive, and substitute:

“12–504.

(a) (1) A local jurisdiction may adopt local amendments to the Standards if the local amendments do not:

(i) prohibit the minimum implementation and enforcement activities set forth in § 12–505 of this subtitle;

(ii) weaken energy conservation and efficiency provisions contained in the Standards;

(iii) except as provided in paragraph (3) of this subsection, weaken the automatic fire sprinkler systems provisions for townhouses and one– and two–family dwellings contained in the Standards; or

(iv) weaken wind design and wind-borne debris provisions contained in the Standards.

(2) (i) Regardless of whether the International Green Construction Code is adopted by the Department under § 12-503(d) of this subtitle, a local jurisdiction may adopt the International Green Construction Code.

(ii) A local jurisdiction may make local amendments to the International Green Construction Code.

(3) Paragraph (1)(iii) of this subsection does not apply to:

(i) standards governing issuance of a building permit for a property not connected to an electrical utility; or

(ii) until January 1, 2016, standards governing issuance of a building permit for a new one- or two-family dwelling constructed on:

1. a lot subject to a valid unexpired public works utility agreement that was executed before March 1, 2011; or

2. a lot served by an existing water service line from a water main to the property line that:

A. is less than a nominal 1-inch size;

B. is approved and owned by the public or private water system that owns the mains;

C. was installed before March 1, 2011; and

D. is fully operational from the public or private main to a curb stop or meter pit located at the property line.

(b) If a local jurisdiction adopts a local amendment to the Standards, the Standards as amended by the local jurisdiction apply in the local jurisdiction.

(c) **(1)** If a local amendment conflicts with the Standards, the local amendment prevails in the local jurisdiction.

(2) A LOCAL JURISDICTION MAY ADOPT LOCAL AMENDMENTS TO THE STANDARDS THAT ARE EQUIVALENT TO THE REQUIREMENTS OF:

(I) THE INTERNATIONAL ENERGY CONSERVATION CODE;

(II) CHAPTER 13, “ENERGY EFFICIENCY”, OF THE INTERNATIONAL BUILDING CODE; OR

(III) CHAPTER 11, “ENERGY EFFICIENCY”, OF THE INTERNATIONAL RESIDENTIAL CODE.

(d) A local jurisdiction that adopts a local amendment to the Standards shall ensure that the local amendment is adopted in accordance with applicable local law.

(e) To keep the database established under this subtitle current, a local jurisdiction that adopts a local amendment to the Standards shall provide a copy of the local amendment to the Department:

(1) at least 15 days before the effective date of the amendment; or

(2) within 5 days after the adoption of an emergency local amendment.”.

The preceding 2 amendments were withdrawn.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 341 – Delegate Davis

AN ACT concerning

Underground Utility Damage Prevention – Connecting Buildings to Water Supply Systems and Sewerage Systems – Detectable Wires

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 728)

The Bill was then sent to the House of Delegates.

House Bill 943 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, Adams, Barkley, Branch, Brooks, Carey, Clippinger, Frick, Glenn, Jameson, Kramer, Lisanti, Valderrama, Vaughn, Waldstreicher, and C. Wilson

AN ACT concerning

Economic Competitiveness and Commerce – Restructuring

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 2 (See Roll Call No. 729)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #11

CONSENT CALENDAR #6

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 48	Chair, Judiciary Committee	Clerks of the Circuit Courts – Collection of Appearance Fees	JPR
HB 49	Chair, Judiciary Committee	Clerks of the Circuit Courts – Water and Sewer Lien Registers – Fees	JPR
HB 50	Chair, Judiciary Committee	Active Armed Forces Member – Exemption From Payment of Fees for Certain Court Records	JPR
HB 83	Del. Krebs	Public Records – Inspection	JPR
HB 115	Carroll County Delegation	Carroll County – Correctional Officers’ Bill of Rights	JPR
HB 131	Chair, Judiciary Committee	Criminal Procedure – Transfer to Juvenile Court – Petition for Expungement	JPR

HB 171	Del. Afzali	Courts – Child Abuse and Neglect – Waiver of Reunification Efforts (Anayah’s Law)	JPR
HB 201	Del. S. Robinson	Vehicle Laws – Special Registr Plates and Parking Placards for Indivs With Dsblts – Lic’d PTs	JPR
HB 224	Del. Dumais	Domestic Violence – 2–Year Protective Order	JPR
HB 369	Caroline County Delegation	Public Saf – Appt of Mbrs of Fire Companies as Deputy Sheriffs – Caroline Co and Talbot Co	JPR
HB 388 (Emerg)	Del. Dumais	Justice Reinvestment Coordinating Council	JPR
HB 439	Del. M. Washington	Family Law – Information and Services for Foster Children and Former Foster Children	JPR
HB 462	Del. K. Young	Public Safety – Statewide Accounting of Sexual Assault Evidence Kits	JPR
HB 506	Del. Anderson	Baltimore City – Vehicle Laws – Traffic Safety	JPR
HB 529	Del. Clippinger	Criminal Law – Identity Fraud – Name of the Individual	JPR
HB 542	Del. O’Donnell	Circuit Court for Calvert County – Fees for Appearance of Counsel	JPR
HB 592	Del. Morhaim	St Dnr Rgstry – Info & Mthds of Rgstr – Clks of Crct Cts, Rgstrs of Wlls, & MVA (EODR Act)	JPR
HB 623	Del. Miele	Estates – Modified Administration – Final Report and Distribution – Extension	JPR

HB 643	Del. Zucker	Department of Human Resources – State Child Welfare System – Report	JPR
HB 666	Del. Miele	Maryland Trust Act – Revocable Trusts – Creditors’ Claims – Limitations	JPR
HB 703	Del. Miele	Estates and Trusts – Maryland Trust Act – Incapacity	JPR
HB 782	Del. McMillan	Real Property – Residential Leases – Interest on Security Deposits	JPR
HB 793	Washington County Delegation	Washington County – County Clerk	JPR
HB 917	Del. Kramer	Motor Vehicles – Checkpoints – Prohibition on Targeting Motorcycles	JPR
HB 1009	Del. Smith	Criminal Procedure – Immunity – Alcohol– or Drug–Related Medical Emergencies	JPR

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 6 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 730)

The Bills were then sent to the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #37**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 191 – Washington County Delegation

AN ACT concerning

~~Washington County – Appointment of Superintendent of Schools – Exemption~~
County Superintendents of Schools – Reappointment Exemption in Washington
County and Recruitment Recommendations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #39**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 934 – Senator Conway

AN ACT concerning

Pawnbrokers – Required Records – Photograph of Pawned Item

SB0934/534135/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 934

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and McFadden”; in line 2, before “Pawnbrokers” insert “Secondhand Precious Metal Object Dealers and”; in the same line, after “of” insert “Precious Metal Object or”; in line 3, after “a” insert “secondhand precious metal object dealer or”; in line 4, after “each” insert “precious metal object acquired or”; in line 5, after “of” insert “secondhand precious metal object dealers and”; in line 8, strike “12–301(b) and (c)” and substitute “12–301(a), (b), and (c)”; and in line 13, strike “12–302(b)” and substitute “12–302”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“(a) (1) Each dealer shall make a written record, on a form provided by the Secretary, of each business transaction that involves the acquisition of a secondhand precious metal object when the transaction is made.

(2) Each dealer shall retain the original copy of the written record required to be made under paragraph (1) of this subsection at the dealer’s place of business.”.

On page 3, after line 5, insert:

“(a) In addition to any other information required by the Secretary, the records of a dealer shall include:

(1) the date, place, and time of each transaction that involves the acquisition of a precious metal object;

(2) the name and address of the principal, if the transaction is by an agent;

(3) a description of the precious metal object, including:

(i) its approximate metallic composition;

(ii) any jewels, stones, or glass parts;

(iii) any mark, number, word, or other identification on the precious metal object;

(iv) its weight, if payment is based on weight;

(v) a statement whether it appears to have been altered by any means, including:

1. obscuring a serial number or identifying feature;

2. melting; or

3. recutting a gem; and

(vi) the amount paid or other consideration;

(4) A PHOTOGRAPH OF THE PRECIOUS METAL OBJECT;

[(4)] (5) for each individual from whom the dealer acquires a precious metal object:

(i) the name, date of birth, and driver's license number of the individual; or

(ii) identification information about the individual that:

1. positively identifies the individual from at least 2 forms of identification, which may include an age of majority card, military identification, or passport; and

2. provides a physical description of the individual, including the sex, race, any distinguishing features, and approximate age, height, and weight of the individual;

[(5)] (6) a statement indicating whether or not the person making the transaction is personally known to the dealer; and

[(6)] (7) the signature of the person from whom the precious metal object or personal property is acquired and the dealer or employee who accepted the precious metal object.”.

The preceding 2 amendments were read only.

Senator Reilly moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 937 – Senators Madaleno, Raskin, Kasemeyer, and Miller

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Powdered Alcoholic Beverages – Ban on Sales

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Joint Resolution 2 – Senators Pinsky, Benson, Conway, Feldman, Ferguson, Gladden, Guzzone, King, Lee, Manno, McFadden, Montgomery, Nathan–Pulliam, Ramirez, and Raskin

A Senate Joint Resolution concerning

United States Constitution – Amendments Convention – Democracy Amendment

SJ0002/464132/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in line 6, strike “freedom” and substitute “individual right”; and in lines 6 and 7, strike “and restores free and fair elections in America” and substitute “. reserves inalienable political rights to natural persons, and authorizes regulation of campaign contributions and electioneering expenditures”.

AMENDMENT NO. 2

On page 1, in line 10, strike “of free and fair elections where” and substitute “that”; in lines 10 and 23, in each instance, strike “freedom” and substitute “individual right”; in line 12, strike “corrupting”; in the same line, strike “massive” and substitute “excessive”; in line 23, strike “secure free and fair elections in order to”; and in line 24, after “our” insert “elections and”.

On page 2, in line 1, strike “Decisions” and substitute “The people have the right to choose the leaders who write our laws, but decisions”; in line 2, strike “turned our public elections into private auctions” and substitute “undermined the American principle of self–government”; strike in their entirety lines 13 through 17, inclusive; in line 19, strike “elected in the states”; in line 20, strike “states,” and substitute “State and reflective of the voter registration in the State, who are elected”; in the same line, strike “in the states” and substitute “and selected by the General Assembly from among State and local officials”; in

lines 21 and 22, strike “a state” and substitute “the State”; strike beginning with “except” in line 22 down through “one” in line 24 and substitute “whose goals can be ensured by electing half of the delegates and appointing half of the delegates”; in line 33, strike “to affirm” and substitute “limited to affirming”; in the same line, strike “freedom” and substitute “individual right”; and in lines 33 and 34, strike “and restore free and fair elections in America” and substitute “, reserving inalienable political rights to natural persons and authorizing the regulation of campaign contributions and electioneering expenditures”.

On page 3, in line 36, strike “a constitutional” and substitute “an amendments”.

The preceding 2 amendments were read only.

Senator Hough moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #20

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 172 – Senator Gladden

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

SB0172/378779/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “requiring the District Court to state the reasons for a certain finding on the record under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 28, strike the brackets.

On page 3, in lines 4, 6, and 8, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; strike beginning with “THE” in line 8 down through “FACILITY” in line 10 and substitute “THE COURT FINDS THAT DETENTION IN A SECURE JUVENILE FACILITY WOULD POSE A RISK OF HARM TO THE CHILD OR OTHERS”; after line 10, insert:

“(2) IF THE COURT MAKES A FINDING UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION THAT DETENTION IN A SECURE JUVENILE FACILITY WOULD POSE A RISK OF HARM TO THE CHILD OR OTHERS, THE COURT SHALL STATE THE REASONS FOR THE FINDING ON THE RECORD.”;

in line 20, after “(j)” insert “(1)”; in lines 24 and 26, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and in lines 30 and 32, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively.

On page 4, in line 1, strike “(III)” and substitute “3.”; strike beginning with “THE” in line 1 down through “FACILITY” in line 3 and substitute “THE DISTRICT COURT FINDS THAT DETENTION IN A SECURE JUVENILE FACILITY WOULD POSE A RISK OF HARM TO THE CHILD OR OTHERS”; and after line 3, insert:

“(2) IF THE DISTRICT COURT MAKES A FINDING UNDER PARAGRAPH (1)(II)3 OF THIS SUBSECTION THAT DETENTION IN A SECURE JUVENILE FACILITY WOULD POSE A RISK OF HARM TO THE CHILD OR OTHERS, THE DISTRICT COURT SHALL STATE THE REASONS FOR THE FINDING ON THE RECORD.”.

The preceding 2 amendments were read only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 254 – Senator Edwards

AN ACT concerning

Department of General Services – Deep Creek Lake Buy Down Area Program –
Extension

SB0254/218073/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 254

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “authorizing” and substitute “requiring”; in the same line, strike “a program” and substitute “the Deep Creek Lake Buy Down Area Program”; in line 6, after the first “a” insert “certain”; in the same line, strike “not to exceed a certain amount”; in lines 7, 8, and 10, in each instance, strike “program” and substitute “Program”; in line 7, after “manner;” insert “exempting certain property transactions made under the Program from certain property requirements;”; in line 9, after “that” insert “a portion of”; in line 10, strike “disposed of” and substitute “used”; and in the same line, after the semicolon insert “providing that all proceeds in excess of a certain reimbursement amount be credited to the Deep Creek Lake Recreation Maintenance and Management Fund; providing that revenue from the sale of certain property distributed to the Deep Creek Lake Recreation Maintenance and Management Fund may be used only by the Department for certain land purchases;”; in line 11, after the first “of” insert “certain provisions of”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5–215(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–215(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 15, strike “a program” and substitute “the Deep Creek Lake Buy Down Area Program”; strike beginning with “not” in line 17 down through “2000” in line 18

and substitute “equal to the State’s cost of acquiring the land plus reasonable costs and expenses incurred by the State from the sale”; and in lines 19 and 22, in each instance, strike “program” and substitute “Program”.

AMENDMENT NO. 3

On page 1, after line 21, insert:

“(3) Property transactions made under the Program shall be exempt from the requirements under §§ 5–310 and 10–305(b) of the State Finance and Procurement Article.”.

AMENDMENT NO. 4

On page 2, in line 1, strike “The” and substitute “(1) A portion of the”; in the same line, strike “of any sales” and substitute “received from any sale”; strike beginning with “disposed” in line 1 down through “Article” in line 2 and substitute “used to reimburse the State for reasonable costs and expenses incurred from the sale.”

(2) All proceeds in excess of the reimbursement amount specified in paragraph (1) of this subsection shall be credited to the Deep Creek Lake Recreation Maintenance and Management Fund established under § 5–215 of the Natural Resources Article”;

and after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Natural Resources

5–215.

(a) In this section, “Fund” means the Deep Creek Lake Recreation Maintenance and Management Fund.

(b) There is a Deep Creek Lake Recreation Maintenance and Management Fund in the Department for the maintenance and management of the land, recreational facilities, and services that are related to Deep Creek Lake in Garrett County.

(c) (1) Except as provided in paragraphs (2) [and], (4), AND (5) of this subsection, the Department shall pay all fees collected for boat launching at Deep Creek Lake State Park, all funds collected from lake and buffer use permits, contracts, grants, and gifts as a result of the Deep Creek Lake management program, and any investment earnings of the Fund, into the Fund.

(2) At the end of each quarter of the fiscal year, the Department shall pay 25% of the total revenue collected during the quarter under paragraph (1) of this subsection to the Board of County Commissioners of Garrett County.

(3) (i) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(ii) Any investment earnings of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund.

(4) Moneys in the Fund may be used for administrative costs calculated in accordance with § 1–103(b)(2) of this article.

(5) REVENUE DISTRIBUTED TO THE FUND FROM THE SALE OF STATE PROPERTY MADE IN ACCORDANCE WITH THE DEEP CREEK LAKE BUY DOWN AREA PROGRAM MAY BE USED BY THE DEPARTMENT ONLY FOR THE PURCHASE OF LAND THAT PROVIDES PUBLIC ACCESS TO DEEP CREEK LAKE.”

AMENDMENT NO. 5

On page 2, strike in their entirety lines 3 through 6, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015. Section 1 of this Act shall remain effective for a period of 2 years and 1 month and, at the end of October 31, 2017, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect. Section 2 of this Act shall remain effective for a period of 4 years and 1 month and, at the end of October 31, 2019, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 380 – Senator Mathias

AN ACT concerning

**Vehicle Laws – Single Registration Plate – Class L (Historic) Vehicles and
Class N (Street Rod) Vehicles**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 839 – Senator Waugh

AN ACT concerning

St. Mary’s County – Violations of Ordinances, Rules, and Regulations – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #19

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 627 – Senators Eckardt, Ready, and Reilly

AN ACT concerning

Education – Maintenance of Effort Requirement – Alterations

SB0627/429632/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 627

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Reilly” and substitute “Reilly, and Serafini”; in line 2, strike “Alterations” and substitute “Alteration and Study”; strike beginning with “removing” in line 3 down through “cost” in line 13 and substitute “excluding from a certain calculation the cost to provide certain features required under accessibility laws”; in line 13, after “Board” insert “of Education”; in line 15, after “process” insert “and the use of certain financing mechanisms by county boards of education”; and in line 19, strike “5–202(d)(1), (3), (5), and (6)” and substitute “5–202(d)(3)”.

AMENDMENT NO. 2

On page 2, strike beginning with “(1)” in line 1 down through “1.” in line 25.

On page 3, after line 4, insert:

**“5. THE COST TO PROVIDE BUILDING FEATURES
REQUIRED UNDER ACCESSIBILITY LAWS.”;**

and strike in their entirety lines 5 through 7, inclusive.

On pages 3 and 4, strike in their entirety the lines beginning with line 12 on page 3 through line 8 on page 4, inclusive.

AMENDMENT NO. 3

On page 4, in line 11, after “study” insert “:

(1) the use of leases and other alternative financing mechanisms by county boards of education for school facilities and buildings; and

(2)”;

after line 13, insert:

“(b) As part of the study required under subsection (a)(1) of this section, the State Board shall examine:

(1) changes necessary to existing law to encourage collaboration between county governing bodies and county boards of education in using leases and alternative financing mechanisms; and

(2) whether and when, within the term of a lease or other alternative financing mechanism, the fixed cost of the lease or other alternative financing mechanism should be included or excluded in a county’s maintenance of effort calculation.”;

in lines 14 and 19, strike “(b)” and “(c)”, respectively, and substitute “(c)” and “(d)”, respectively; in line 14, after “study” insert “required under subsection (a)(2) of this section”; and in line 19, strike “31,” and substitute “1”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #20

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 191 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Credit for Unused Sick Leave – Clarification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #37

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 543 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Conaway, Glenn, and B. Robinson

AN ACT concerning

Baltimore City – Housing Authority of Baltimore City – Subsidiary Entities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 868 – Delegates Hayes, Carter, Lierman, McCray, B. Robinson, Rosenberg, and M. Washington

AN ACT concerning

Baltimore City – Alcoholic Beverages – Penalties for Sales to Underage Persons

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #38**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 463 – Delegate K. Young

AN ACT concerning

**State Board of Morticians and Funeral Directors – Funeral Establishment
Licenses – Ownership and Operation Requirements**

HB0463/774136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 463

(Third Reading File Bill)

On page 1, in line 7, strike the first “or” and substitute “, a certain”; and in the same line, after “individuals” insert “, or a holder of a certain license”.

On page 2, in line 9, after “director;” insert “**OR**”; in line 10, strike “**OR**”; strike line 11 in its entirety; after line 11, insert:

**“(II) OWNED AND OPERATED IN ACCORDANCE WITH THIS TITLE
BY A HOLDER OF A CORPORATION LICENSE; OR”;**

and in line 12, strike “(II)” and substitute “(III)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 556 – Delegate Pendergrass

AN ACT concerning

State Board of Environmental Health Specialists – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 561 – Delegate Krebs

AN ACT concerning

State Board of Morticians and Funeral Directors – Notice of Member Vacancies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 978 – Delegates Lam, Hill, Jalisi, ~~and Morhaim~~ Morhaim, McMillan, Oaks, Pena-Melnyk, Miele, Kelly, McDonough, Bromwell, Morgan, Angel, Hammen, Kipke, Cullison, Sample-Hughes, Barron, Reznik, West, Rose, and K. Young

AN ACT concerning

HIV Testing – Informed Consent and Pretest Requirements – Modification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #28

CONSENT CALENDAR #56

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 312 – Chair, Economic Matters Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Commercial Law – Secured Transactions – ~~False Records~~ Financing Statements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 469 – Delegates Jameson and Branch

AN ACT concerning

Public Utilities – Electricity – Construction of Overhead Transmission Lines

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 512 – Delegates K. Young, Hill, and Reznik

AN ACT concerning

Office of Cemetery Oversight – Preneed Burial Contracts – Report Submission Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 540 – Delegate Mautz

EMERGENCY BILL

AN ACT concerning

Public Health – Regulation of Milk Products – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 562 – Delegates Kramer, Afzali, Barkley, Dumais, Fraser-Hidalgo, Ghrist, Glass, McComas, ~~and W. Miller~~ W. Miller, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Reznik, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

**Health Insurance – Ambulance Service Providers – Direct Reimbursement –
Repeal of Termination Date**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 770 – Delegate Davis

AN ACT concerning

**Insurance – Standard Valuation Law and Reserve and Nonforfeiture
Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 786 – Delegates Davis, Adams, Arentz, Aumann, Barkley, Branch, Brooks, Carey, Fisher, Frick, Glenn, S. Howard, Impallaria, Jameson, Kramer, Lisanti, Mautz, W. Miller, Valderrama, Vaughn, and C. Wilson

AN ACT concerning

Self-Service Storage Facilities – Enforcement of Lien – Advertisement of Sale

HB0786/507675/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 786

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Advertisement of Sale” and substitute “Procedures”; strike beginning with “authorizing” in line 3 down through “term;” in line 7 and substitute “altering certain notice procedures required to enforce a lien on certain property stored in a leased space at a self-service storage facility; requiring a certain agreement to contain a certain statement; establishing that the balance of proceeds from a certain sale is presumed abandoned under certain circumstances; altering certain procedures required for the administration of certain proceeds from a certain sale;”; after line 8, insert:

“BY adding to

Article – Commercial Law

Section 17–307.1

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)”;

and in line 16, strike “18–504(b)” and substitute “18–503 and 18–504(b) and (e)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“17–307.1.

THE BALANCE OF THE PROCEEDS FROM THE SALE OF PERSONAL PROPERTY STORED AT A SELF-SERVICE STORAGE FACILITY THAT IS UNCLAIMED AFTER THE

EXPIRATION OF THE 1 YEAR PERIOD SPECIFIED IN § 18-504(E) OF THIS ARTICLE IS PRESUMED ABANDONED.

18-503.

(a) The operator of a self-service storage facility has a lien on all personal property stored within each leased space for rent, labor, or other charges, and for expenses reasonably incurred in its sale, as provided in this subtitle.

(b) The rental agreement shall contain a statement, in bold type, advising the occupant:

(1) Of the existence of the lien;

(2) That personal property stored in the leased space may be sold to satisfy the lien if the occupant is in default; [and]

(3) That personal property stored in the leased space may be towed or removed from the self-service storage facility if:

(i) The personal property is a motor vehicle or watercraft; and

(ii) The occupant is in default for more than 60 days; AND

(4) THAT A SALE OF PERSONAL PROPERTY STORED IN THE LEASED SPACE TO SATISFY THE LIEN IF THE OCCUPANT IS IN DEFAULT MAY BE ADVERTISED:

(I) IN A NEWSPAPER OF GENERAL CIRCULATION IN THE JURISDICTION WHERE THE SALE IS TO BE HELD;

(II) BY ELECTRONIC MAIL; OR

(III) ON AN ONLINE WEB SITE.”;

in line 12, after “unless” insert “:

1.”;

in line 13, after “specifies” insert “, IN BOLD TYPE,”; in the same line, after “mail” insert “;
AND”

2. THE OCCUPANT PROVIDES THE OCCUPANT’S INITIALS NEXT TO THE STATEMENT IN THE RENTAL AGREEMENT SPECIFYING THAT NOTICE OF DEFAULT MAY BE GIVEN BY ELECTRONIC MAIL”;

in line 31, strike “At” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AT”; and in line 32, strike “in”.

On page 3, in line 1, strike “A” and substitute “IN A”; in line 2, strike “OR”; strike beginning with “ANY” in line 3 down through “AGREEMENT” in line 5 and substitute “BY ELECTRONIC MAIL; OR”

3. ON AN ONLINE WEB SITE”;

and strike beginning with “1.” in line 6 down through “ADVERTISED.” in line 12 and substitute “THE OPERATOR MAY NOT ADVERTISE THE SALE IN THE MANNER PROVIDED UNDER SUBPARAGRAPH (I)2 OR 3 OF THIS PARAGRAPH UNLESS THE OCCUPANT PROVIDES THE OCCUPANT’S INITIALS NEXT TO THE STATEMENT IN THE RENTAL AGREEMENT REQUIRED UNDER § 18-503(B)(4) OF THIS SUBTITLE.”

(e) **(1)** If a sale is held under this section, the operator shall:

[(1)] (I) Satisfy the lien from the proceeds of the sale; and

[(2)] Hold the balance, if any, for delivery on demand to the occupant or any other recorded lienholders] (II) MAIL THE BALANCE, IF ANY, BY CERTIFIED MAIL TO THE OCCUPANT OR ANY OTHER RECORDED LIENHOLDER AT THE LAST KNOWN ADDRESS OF THE OCCUPANT OR LIENHOLDER.

(2) (I) IF THE BALANCE IS RETURNED TO THE OPERATOR AFTER THE OPERATOR MAILED THE BALANCE IN THE MANNER REQUIRED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE OPERATOR SHALL HOLD THE BALANCE FOR 1 YEAR AFTER THE DATE OF SALE FOR DELIVERY ON DEMAND TO THE OCCUPANT OR ANY OTHER RECORDED LIENHOLDER.

(II) AFTER EXPIRATION OF THE 1 YEAR PERIOD, THE BALANCE IS PRESUMED ABANDONED UNDER § 17-307.1 OF THIS ARTICLE.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 909 – Delegates Pena–Melnyk, Angel, Frick, Frush, Glenn, Jackson, McConkey, Tarlau, Vaughn, Walker, A. Washington, and C. Wilson

AN ACT concerning

Pilot Program for Small Business Development by Ex–Offenders

HB0909/757479/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 909

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “establish” insert “under certain circumstances”; and in line 7, after “Program;” insert “authorizing the Department to coordinate with certain entities”.

AMENDMENT NO. 2

On page 2, in line 10, after “**2016,**” insert “**SUBJECT TO THE AVAILABILITY OF FUNDS,**”; and after line 18, insert:

“(3) THE DEPARTMENT MAY COORDINATE WITH OTHER ENTITIES THAT OFFER TO PROVIDE RESOURCES FOR THE PROGRAM, INCLUDING FUNDING, TRAINING, AND MENTORING SERVICES.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #29

Senator Middleton, Chair, for the Committee on Finance and Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 942 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, McCray, Adams, Arentz, Aumann, Barkley, D. Barnes, Branch, Brooks, Carey, Clippinger, Ebersole, Fennell, Fisher, Frick, Glenn, Hornberger, S. Howard, Impallaria, Jameson, Kaiser, Kramer, Luedtke, Lisanti, Mautz, Metzgar, W. Miller, Patterson, Platt, Reilly, Shoemaker, Simonaire, Tarlau, Valderrama, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and C. Wilson

AN ACT concerning

Apprenticeship Pilot Program – Apprenticeship Maryland

HB0942/237274/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 942

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Regulation” insert “and a certain entity”; in line 7, after the semicolon insert “requiring the State Department of Education to consider providing for the selection of certain school systems as part of certain criteria;”; in line 14, after “instruction,” insert “receive certain credit for the work-based training and classroom instruction completed under the Program;”; and in line 16, after “wage;” insert “requiring the Department of Labor, Licensing, and Regulation and the State Department of Education to work together to explore certain options;”.

AMENDMENT NO. 2

On page 4, in line 7, after “(1)” insert “(1)”; in line 8, after “DEPARTMENT” insert “AND THE PUBLIC SCHOOL SUPERINTENDENTS ASSOCIATION OF MARYLAND”; after line 9, insert:

“(II) AS PART OF THE CRITERIA DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE DEPARTMENT OF EDUCATION SHALL CONSIDER, TO THE EXTENT PRACTICABLE, PROVIDING FOR THE SELECTION OF ONE URBAN SCHOOL SYSTEM AND ONE RURAL SCHOOL SYSTEM TO PARTICIPATE IN THE PROGRAM.”;

in line 25, strike “AND”; after line 25, insert:

“(4) SHALL RECEIVE CREDIT TOWARD A HIGH SCHOOL DIPLOMA OR A POSTSECONDARY CREDENTIAL, OR BOTH, FOR THE WORK-BASED TRAINING AND CLASSROOM INSTRUCTION COMPLETED UNDER THE PROGRAM; AND”;

in line 26, strike “(4)” and substitute “(5)”; in line 31, after “THE” insert “APPLICABLE”; in the same line, strike “SPECIFIED UNDER § 3-413 OF THIS ARTICLE” and substitute “SUBJECT TO ANY LAWFUL EXEMPTIONS”; and after line 31, insert:

“(I) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION SHALL WORK TOGETHER TO EXPLORE OPTIONS FOR INCREASING THE AVAILABILITY OF AND ACCESS TO YOUTH APPRENTICESHIP PROGRAMS BASED ON THE EXPERIENCES OF OTHER STATES AND COUNTRIES, AS WELL AS THE RESULTS OF THE PROGRAM.”.

On page 5, in lines 1 and 18, strike “(I)” and “(J)”, respectively, and substitute “(J)” and “(K)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #21

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 180 – Delegates Turner, Atterbeary, Barve, Carozza, Ebersole, Hixson, C. Howard, Kaiser, Luedtke, A. Miller, Platt, A. Washington, and M. Washington

AN ACT concerning

Video Lottery Terminal Revenues – Purse Dedication Account – Standardbred Racetrack Operating Loss Assistance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 209 – ~~Delegate Turner~~ Howard County Delegation

AN ACT concerning

**Howard County – Room Rental Tax – Room Rental Fee
Ho. Co. 12–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #21

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 599 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Violations of Ordinances, Rules, and Regulations – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 618 – Delegates Carter, Anderson, Dumais, Morales, and Smith

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

HB0618/128478/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 618

(Third Reading File Bill)

On page 3, in line 14, strike “BY CLEAR AND CONVINCING EVIDENCE”; and in lines 15 and 19, in each instance, strike “SUBSTANTIAL”.

On page 4, strike beginning with “BY” in line 14 down through “EVIDENCE” in line 15; and in lines 16 and 19, in each instance, strike “SUBSTANTIAL”.

The preceding amendment was read only.

Senator Hershey moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON RULES REPORT #13

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1287 – Delegate O’Donnell

AN ACT concerning

**Tidal Fisheries Advisory Commission and Sport Fisheries Advisory Commission
– Membership**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 595 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Hershey, Hough, Jennings, Klausmeier, Ready, Reilly, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Public Charter School Expansion and Improvement Act of 2015

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (10) AND THE FAVORABLE REPORT.

SB0595/794139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 595

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Expansion and”.

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 8 on page 2, inclusive.

On page 2, after line 8, insert:

“FOR the purpose of requiring certain public charter schools to take certain steps to maintain a certain ratio as part of the initial cohort of students in a certain grade; authorizing certain public charter schools to give certain students seeking to enroll in the public charter school a greater weight to the student’s lottery status as part of the public charter school’s admissions lottery; authorizing certain public charter schools to give priority to certain siblings for certain spaces at certain public charter schools; authorizing certain public charter schools to provide certain guaranteed placement to certain students; authorizing certain public charter schools to propose a certain geographic attendance area and certain guaranteed placement plan, subject to the approval of the public chartering authority, under certain circumstances; authorizing certain public charter schools to admit certain students under certain circumstances; authorizing certain county boards of education to grant certain waivers to certain converted public charter schools; providing that certain county boards are the only public chartering authorities in the State; repealing a provision of law that establishes the State Board of Education as a secondary public chartering authority; requiring an application to establish a public charter school to include a certain plan for a program of instruction and a certain description of the implementation of a certain weighted lottery or the provision of guaranteed placement under certain circumstances; prohibiting a public chartering authority

from granting a charter to a school that operates fully online; requiring certain county boards of education to review certain applications in accordance with the application procedures adopted by the county board; authorizing certain decisions to be appealed to the State Board in accordance with certain provisions of law; authorizing a public chartering authority to approve certain applications on a contingent basis subject to certain conditions; authorizing a public chartering authority to approve or reject a certain provision of an application separately from the application as a whole; providing that a certain applicant may submit a certain staffing model with a certain application; requiring the State Board to remand to a county board a certain matter under certain circumstances and authorizing the State Board to mediate, if necessary, a certain matter between a county board and a certain public charter school under certain circumstances; requiring the State Board to develop standards and criteria by which certain public charter schools must be assessed; authorizing certain public charter schools to submit to a public chartering authority a certain application for certain consideration; prohibiting certain public charter schools from submitting a certain application more than once during a certain period of time; exempting certain public charter schools from certain policies under certain circumstances; authorizing certain public chartering authorities and certain public charter schools to mutually agree to a certain communication process and supervision methodology; providing that certain public charter schools may not be assigned certain principals without certain consent; providing that certain staff members must be assigned or transferred to certain public charter schools under certain circumstances; specifying that certain provisions of law may not be construed to take precedence over a certain collective bargaining agreement; subjecting certain public charter schools to certain provisions of law, subject to certain exceptions; requiring a member of the professional staff of a public charter school to be subject to certain certification provisions; authorizing certain public charter schools to seek certain waivers under certain circumstances; requiring certain reasons to be provided in writing for the denial of certain waivers; authorizing certain employee organizations, public school employers, and public charter schools to mutually agree to negotiate certain amendments to certain collective bargaining agreements; requiring certain county boards to provide certain policies and updates or amendments to the policies to the State Board; requiring the State Department of Education to report annually to the General Assembly regarding certain updates or amendments to certain policies and the implementation of this Act; requiring the State Department of Education, in consultation with the Department of Legislative Services, to contract for a certain study relating to funding for public charter schools and traditional public schools; requiring the study to include certain elements; requiring local school systems and public charter schools to provide certain data to

complete the study; establishing certain penalties for certain local school systems and public charter schools that do not comply with a certain data reporting requirement; requiring a certain report to the Governor and certain committees of the General Assembly on or before a certain date regarding the study; making certain stylistic changes; altering a certain definition; defining a certain term; and generally relating to public charter schools in the State.”;

strike in their entirety lines 9 through 14, inclusive; in line 17, after “9–101” insert “and 9–109(a)”; after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – Education

Section 9–102, 9–102.1, 9–103 through 9–108, and 9–110

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)”;

in line 22, after “9–102.2” insert “, 9–102.3, and 9–104.1”; and strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 33 on page 2 through line 17 on page 4, inclusive.

On page 4, in line 27, strike “§ 9–102.1” and substitute “**§§ 9–102.1, 9–102.2, AND 9–102.3**”; and strike beginning with “IN” in line 28 down through “TITLE” in line 29.

On page 5, in line 8, strike “**THROUGH ITS GOVERNING BOARD**”; in line 9, strike “§ 9–106” and substitute “**§§ 9–104.1 AND 9–106**”; in lines 14 and 15, in each instance, strike the bracket; strike beginning with “PUBLIC” in line 15 down through “TITLE” in line 16; in line 22, after “space” insert “**AS PART OF THE INITIAL COHORT OF STUDENTS IN A GRADE**”; in line 25, after “shall” insert “:

(1)”;

in the same line, strike “admit” and substitute “**ADMIT**”; and in line 26, after “TITLE” insert “**; AND**”

(2) TAKE REASONABLE STEPS TO MAINTAIN THE 35% TO 65% RATIO INTENDED AS PART OF THE INITIAL COHORT OF STUDENTS IN A GRADE.

AMENDMENT NO. 3

On page 6, strike beginning with the colon in line 2 down through “**THE**” in line 3 and substitute “**THE**”; in lines 4, 5, 6, and 7, strike “**(I)**”, “**(II)**”, “**(III)**”, and “**(IV)**”, respectively, and substitute “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively; in line 6, strike “**OR**”; in line 8, after “**ACT;**” insert “**OR**

(5) A SIBLING OF A STUDENT CURRENTLY ENROLLED IN THE PUBLIC CHARTER SCHOOL FOR WHICH THE SIBLING IS APPLYING.”;

strike in their entirety lines 9 through 21, inclusive; and after line 21, insert:

“(B) NOTWITHSTANDING § 9-102(3) OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY GIVE PRIORITY TO THE SIBLING OF A STUDENT ADMITTED THROUGH THE LOTTERY PROCESS OR A CURRENTLY ENROLLED STUDENT FOR ANY SPACES IN THE SCHOOL THAT BECOME AVAILABLE THROUGHOUT THE SCHOOL YEAR.

(C) (1) SUBJECT TO THE APPROVAL OF THE PUBLIC CHARTERING AUTHORITY AND § 9-104 OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY PROPOSE A GEOGRAPHIC ATTENDANCE AREA WITH A MEDIAN INCOME THAT IS EQUAL TO OR LESS THAN THE MEDIAN INCOME OF THE COUNTY FOR THE PUBLIC CHARTER SCHOOL.

(2) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A PUBLIC CHARTER SCHOOL MAY PROVIDE GUARANTEED PLACEMENT THROUGH A LOTTERY TO STUDENTS WHO LIVE WITHIN THE GEOGRAPHIC ATTENDANCE AREA FOR UP TO 35%, AS PROPOSED BY THE PUBLIC CHARTER SCHOOL AND APPROVED BY THE PUBLIC CHARTERING AUTHORITY, OF THE AVAILABLE SPACE OF THE PUBLIC CHARTER SCHOOL.

(3) SUBJECT TO PARAGRAPHS (2) AND (4) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL SHALL:

(I) ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE; AND

(II) TAKE REASONABLE STEPS TO MAINTAIN THE RATIO INTENDED UNDER PARAGRAPH (2) OF THIS SUBSECTION AS PART OF THE INITIAL COHORT OF STUDENTS ACCEPTED THROUGH THE LOTTERY PROCESS.

(4) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL MAY ADMIT MORE THAN THE PERCENTAGE OF STUDENTS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION FROM THE GEOGRAPHIC ATTENDANCE AREA ESTABLISHED UNDER THIS SECTION.

(D) (1) SUBJECT TO THE APPROVAL OF THE PUBLIC CHARTERING AUTHORITY, PARAGRAPH (2) OF THIS SUBSECTION, AND § 9–104 OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY PROVIDE GUARANTEED PLACEMENT THROUGH A LOTTERY TO UP TO 35%, AS PROPOSED BY THE PUBLIC CHARTER SCHOOL AND APPROVED BY THE PUBLIC CHARTERING AUTHORITY, OF THE AVAILABLE SPACE OF THE PUBLIC CHARTER SCHOOL TO STUDENTS WHO ATTENDED A PUBLIC CHARTER SCHOOL DURING THE PREVIOUS SCHOOL YEAR THAT IS OPERATED BY THE SAME OPERATOR.

(2) A PUBLIC CHARTER SCHOOL SHALL QUALIFY UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

(I) THE OPERATOR OPERATES TWO OR MORE PUBLIC CHARTER SCHOOLS IN THE COUNTY; AND

(II) WHEN COMBINED, THE PUBLIC CHARTER SCHOOLS OPERATED BY THE OPERATOR FORM AN INTEGRATED MULTIYEAR ACADEMIC PROGRAM.

(3) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL SHALL:

(I) ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE; AND

(II) TAKE REASONABLE STEPS TO MAINTAIN THE RATIO INTENDED UNDER PARAGRAPH (1) OF THIS SUBSECTION AS PART OF THE INITIAL COHORT OF STUDENTS ACCEPTED THROUGH THE LOTTERY PROCESS.

(4) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER PARAGRAPHS (1) AND (3) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL MAY ADMIT MORE THAN THE PERCENTAGE OF STUDENTS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

AMENDMENT NO. 4

On page 6, before line 22, insert:

“9-102.3.

(A) A COUNTY BOARD MAY GRANT A WAIVER FROM § 9-102(3) OF THIS TITLE TO:

(1) A CONVERTED PUBLIC CHARTER SCHOOL THAT:

(i) SUBJECT TO SUBSECTION (B) OF THIS SECTION, PROVIDES GUARANTEED PLACEMENT THROUGH A LOTTERY TO STUDENTS WHO LIVE WITHIN THE GEOGRAPHIC ATTENDANCE AREA ESTABLISHED BY THE COUNTY BOARD;

(ii) IS A LOW-PERFORMING SCHOOL AS IDENTIFIED BY THE COUNTY BOARD;

(iii) IS ABOVE THE COUNTY AVERAGE RATE FOR THE PERCENTAGE OF STUDENTS WHO ARE ELIGIBLE FOR FREE AND REDUCED PRICE MEALS; AND

(iv) MEETS A STRATEGIC NEED OF THE LOCAL SCHOOL SYSTEM, AS IDENTIFIED IN THE COUNTY BOARD’S PUBLIC CHARTER SCHOOL POLICY DEVELOPED UNDER § 9-110 OF THIS TITLE, THAT SHALL INCLUDE AT LEAST ONE OF THE FOLLOWING ELEMENTS:

1. SERVING A HIGH-NEED POPULATION;

2. INCREASING STUDENT PERFORMANCE;

3. INCREASING ENROLLMENT; OR

4. INCREASING STUDENT DIVERSITY; OR

(2) A CONVERTED PUBLIC CHARTER SCHOOL THAT IS SEEKING RENEWAL OF AN EXISTING CHARTER CONTRACT THAT WAS GRANTED UNDER ITEM (1) OF THIS SUBSECTION.

(B) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER SUBSECTION (A)(1) OF THIS SECTION, THE PUBLIC CHARTER SCHOOL SHALL ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE.”;

in line 23, strike “(a)”; in the same line, strike “primary”; and strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 5

On page 7, in line 17, strike “**FROM THE STATE BOARD**”; in the same line, after “**TITLE;**” insert “**AND**”; in line 18, after “**LOTTERY**” insert “**OR THE PROVISION OF GUARANTEED PLACEMENT**”; in line 19, strike “**§ 9–102.2**” and substitute “**§§ 9–102.2 AND 9–102.3**”; and strike beginning with “**THAT**” in line 19 down through “**ACT**” in line 27.

On page 8, in line 1, strike “or”; in line 2, after “school” insert “**; OR**”

(IV) A SCHOOL THAT OPERATES FULLY ONLINE”;

in line 5, after “application” insert “**AND IN ACCORDANCE WITH THE APPLICATION PROCEDURES ADOPTED BY THE COUNTY BOARD**”; in line 6, strike the brackets; in the same line, strike “**CONVERTED**”; in lines 12 and 14, in each instance, after “the” insert “**DECISION MAY BE APPEALED TO THE**”; in the same lines, in each instance, strike “may become a chartering authority” and substitute “**IN ACCORDANCE WITH § 4–205(C) OF THIS ARTICLE**”; strike in their entirety lines 15 through 17, inclusive; after line 17, insert:

“(6) (I) A PUBLIC CHARTERING AUTHORITY MAY APPROVE AN APPLICATION TO OPERATE A PUBLIC CHARTER SCHOOL ON A CONTINGENT BASIS SUBJECT TO THE CONDITIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(II) THE CONTINGENT APPROVAL GRANTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE CONTINGENT ON:

1. A PUBLIC CHARTER SCHOOL’S ABILITY TO MEET ANY TIMELINES ESTABLISHED BY THE PUBLIC CHARTERING AUTHORITY FOR THE SECURING OF A FACILITY; AND

2. FINAL APPROVAL BY THE PUBLIC CHARTERING AUTHORITY REGARDING THE SUITABILITY OF THE FACILITY SECURED BY THE PUBLIC CHARTER SCHOOL.

(B) IF AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL INCLUDES A DESCRIPTION OF THE IMPLEMENTATION OF A WEIGHTED LOTTERY THAT GIVES PRIORITY TO STUDENTS IN A SPECIFIC GEOGRAPHIC ATTENDANCE AREA IN ACCORDANCE WITH § 9-102.2 OR § 9-102.3 OF THIS TITLE, THE PUBLIC CHARTERING AUTHORITY MAY APPROVE OR REJECT THIS PROVISION SEPARATELY FROM THE APPLICATION AS A WHOLE.

(C) (1) AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL MAY INCLUDE A STAFFING MODEL, INCLUDING PROVISIONS FOR STAFF RECRUITMENT, TRAINING, EVALUATION, AND PROFESSIONAL DEVELOPMENT.

(2) A PUBLIC CHARTER SCHOOL MAY SUBMIT A STAFFING MODEL AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION WITH A RENEWAL APPLICATION OR WITH AN AMENDMENT TO AN EXISTING CHARTER.”;

in line 18, strike “(b)” and substitute “(D)”; in line 21, strike the brackets; in the same line, strike “**90**”; in line 24, after the second “Board” insert “SHALL REMAND THE MATTER TO THE COUNTY BOARD AND”; and in line 25, strike “shall” and substitute “MAY, IF NECESSARY,”.

AMENDMENT NO. 6

On page 8, after line 26, insert:

“9-104.1.

(A) IN THIS SECTION, “ELIGIBLE PUBLIC CHARTER SCHOOL” MEANS A PUBLIC CHARTER SCHOOL THAT HAS BEEN IN EXISTENCE FOR AT LEAST 5 YEARS AND DEMONSTRATES TO THE PUBLIC CHARTERING AUTHORITY A HISTORY OF:

(1) SOUND FISCAL MANAGEMENT; AND

(2) STUDENT ACHIEVEMENT THAT EXCEEDS THE AVERAGE IN THE LOCAL SCHOOL SYSTEM IN WHICH THE PUBLIC CHARTER SCHOOL IS LOCATED ON:

(I) STATEWIDE ASSESSMENTS; AND

(II) OTHER MEASURES DEVELOPED BY THE STATE BOARD.

(B) THE STATE BOARD SHALL DEVELOP STANDARDS AND CRITERIA BY WHICH AN ELIGIBLE PUBLIC CHARTER SCHOOL SHALL BE ASSESSED BY A PUBLIC CHARTERING AUTHORITY.

(C) (1) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY SUBMIT TO A PUBLIC CHARTERING AUTHORITY:

(I) AN APPLICATION FOR RENEWAL OF AN EXISTING CHARTER CONTRACT THAT INCORPORATES THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION; OR

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN APPLICATION FOR AN ADDENDUM TO AN EXISTING CHARTER CONTRACT THAT INCORPORATES THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION.

(2) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY NOT SUBMIT AN APPLICATION UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION MORE THAN ONE TIME DURING THE DURATION OF AN EXISTING CHARTER CONTRACT.

(D) IF THE PUBLIC CHARTERING AUTHORITY DETERMINES THAT A PUBLIC CHARTER SCHOOL IS NOT AN ELIGIBLE PUBLIC CHARTER SCHOOL, THE PUBLIC CHARTER SCHOOL MAY APPEAL THE DECISION TO THE STATE BOARD IN ACCORDANCE WITH § 4-205(C) OF THIS ARTICLE.

(E) IF AN ELIGIBLE PUBLIC CHARTER SCHOOL AND A PUBLIC CHARTERING AUTHORITY MUTUALLY AGREE TO AN ALTERNATIVE MEANS BY WHICH THE ELIGIBLE PUBLIC CHARTER SCHOOL WILL SATISFY THE INTENT OF THE POLICIES OF THE PUBLIC CHARTERING AUTHORITY, AN ELIGIBLE PUBLIC CHARTER SCHOOL IS EXEMPT FROM:

(1) TEXTBOOK, INSTRUCTIONAL PROGRAM, CURRICULUM, PROFESSIONAL DEVELOPMENT, AND SCHEDULING REQUIREMENTS;

(2) A REQUIREMENT TO ESTABLISH A SCHOOL COMMUNITY COUNCIL;

(3) EXCEPT FOR TITLE I SCHOOLS, A REQUIREMENT TO ESTABLISH A SCHOOL IMPROVEMENT PLAN;

(4) EXCEPT FOR SCHOOLS WITH A SCHOOL ACTIVITY FUND, A REQUIREMENT TO PROVIDE SCHOOL ACTIVITY FUND DISCLOSURE STATEMENTS; AND

(5) EXCEPT FOR PREKINDERGARTEN CLASSES, CLASS SIZE OR STAFFING RATIOS.

(F) A PUBLIC CHARTERING AUTHORITY AND AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY JOINTLY DEVELOP AND MUTUALLY AGREE TO A COMMUNICATION PROCESS AND SUPERVISION METHODOLOGY THAT FLOWS AMONG THE COUNTY BOARD, THE OPERATOR, AND THE ADMINISTRATION OF THE ELIGIBLE PUBLIC CHARTER SCHOOL.

(G) (1) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY NOT BE ASSIGNED A PRINCIPAL WITHOUT THE WRITTEN CONSENT OF THE OPERATOR OF THE ELIGIBLE PUBLIC CHARTER SCHOOL.

(2) (I) STAFF MEMBERS SHALL BE ASSIGNED OR TRANSFERRED TO AN ELIGIBLE PUBLIC CHARTER SCHOOL IF THE STAFF MEMBER EXPRESSES IN WRITING THAT THE STAFF MEMBER WANTS TO WORK IN THAT ELIGIBLE PUBLIC CHARTER SCHOOL AND THE ELIGIBLE PUBLIC CHARTER SCHOOL REQUESTS IN WRITING THAT THE STAFF MEMBER BE ASSIGNED OR TRANSFERRED TO THE ELIGIBLE PUBLIC CHARTER SCHOOL, PROVIDED THERE IS AN EXISTING VACANCY.

(II) A TRANSFER AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL TAKE PLACE AS DESIGNATED BY THE AGREEMENT OF THE LOCAL BARGAINING UNIT IN THE LOCAL SCHOOL SYSTEM.

(H) NOTHING IN THIS SECTION MAY BE CONSTRUED TO TAKE PRECEDENCE OVER AN AGREEMENT OF A LOCAL BARGAINING UNIT IN A LOCAL SCHOOL SYSTEM.

(I) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN ELIGIBLE PUBLIC CHARTER SCHOOL IS SUBJECT TO THE PROVISIONS OF THIS TITLE.”;

and strike beginning with “BE” in line 29 down through “TITLE” in line 31 and substitute “BE SUBJECT TO THE SAME CERTIFICATION PROVISIONS ESTABLISHED IN REGULATIONS FOR THE PROFESSIONAL STAFF OF OTHER PUBLIC SCHOOLS”.

AMENDMENT NO. 7

On page 9, in line 1, strike the bracket; strike beginning with the bracket in line 2 down through “ALL” in line 3; strike in their entirety lines 4 and 5; after line 5, insert:

“(B) SUBJECT TO SUBSECTION (D) OF THIS SECTION, A PUBLIC CHARTER SCHOOL MAY SEEK A WAIVER OF THE REQUIREMENTS UNDER SUBSECTION (A) OF THIS SECTION FROM:

(1) A COUNTY BOARD FOR POLICIES THAT ARE THE POLICIES OF THE COUNTY BOARD; AND

(2) THE STATE BOARD FOR POLICIES THAT ARE THE POLICIES OF THE STATE BOARD.

(C) IF A WAIVER IS DENIED UNDER THIS SECTION, THE COUNTY BOARD OR THE STATE BOARD, AS APPROPRIATE, SHALL PROVIDE THE REASON FOR THE DENIAL IN WRITING TO THE PUBLIC CHARTER SCHOOL.”;

in line 6, strike “(B)” and substitute “(D)”; in line 31, strike “(I)”; in the same line, strike the brackets; and in the same line, strike “MAY BE PUBLIC”.

AMENDMENT NO. 8

On page 10, in lines 1, 4, and 15, in each instance, strike the brackets; in the same lines, strike “(II)”, “(III)”, and “(C)”, respectively; in line 1, strike “MAY BE EMPLOYEES”; strike beginning with “; OR” in line 5 down through “SUBSECTION.” in line 14; strike beginning with “FOR” in line 15 down through “IF” in line 16; in line 18, after “organization” insert “, PUBLIC SCHOOL EMPLOYER,”; in line 20, after “school” insert “, INCLUDING AMENDMENTS TO WORK DAYS, WORK HOURS, SCHOOL YEAR, PROCEDURES FOR TRANSFERS THAT ARE CONSISTENT WITH THE INSTRUCTIONAL MISSION OF THE SCHOOL, AND EXTRA DUTY ASSIGNMENTS”; strike in their entirety lines 21 through 25, inclusive; in line 27, strike the bracket; and in line 29, strike the bracket.

AMENDMENT NO. 9

On pages 10 through 13, strike in their entirety the lines beginning with line 30 on page 10 through line 2 on page 13, inclusive.

On page 13, in line 5, strike “submit” and substitute “PROVIDE”; after line 12, insert:

“(3) THE POLICY REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING ANY UPDATES OR AMENDMENTS MADE TO THE POLICY, SHALL BE PROVIDED TO THE DEPARTMENT AND MADE AVAILABLE ON REQUEST AND POSTED ON THE WEB SITE OF THE COUNTY BOARD.”;

after line 20, insert:

“(II) GATHER INFORMATION FROM PUBLIC CHARTER SCHOOLS IN THE STATE REGARDING INNOVATIVE APPROACHES TO EDUCATION AND BEST PRACTICES TAKING PLACE AT PUBLIC CHARTER SCHOOLS THAT MAY BE SHARED WITH AND DISSEMINATED TO OTHER PUBLIC SCHOOLS IN THE STATE.”;

strike in their entirety lines 21 through 24, inclusive; and after line 24, insert:

“(C) THE DEPARTMENT SHALL REPORT ANNUALLY BY DECEMBER 1 TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE REGARDING:

(1) ANY UPDATES OR AMENDMENTS MADE TO A PUBLIC CHARTER SCHOOL POLICY UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) IMPLEMENTATION OF THIS TITLE.”.

AMENDMENT NO. 10

On pages 13 through 15, strike in their entirety the lines beginning with line 25 on page 13 through line 18 on page 15, inclusive.

On page 15, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The State Department of Education, in consultation with the Department of Legislative Services, shall contract for a study of the amount of funding provided to public charter schools and other public schools by local school systems in the State.

(2) The primary purpose of the study is to calculate the average operating expenditures by each local school system for students enrolled in a public school that is not a public charter school or stand-alone special education school, to be aggregated at the State level to serve as the baseline for determining commensurate funding for all public schools.

(b) The study shall include:

(1) a review of:

(i) the operating expenditures made at the central office level by each county board of education, including expenditures for administration, overhead, systemwide planning and development, and compliance with local, State, and federal requirements including special education, nonpublic placements, separate public day schools, English language learner education, prekindergarten education, teacher pension and retiree health benefits, student transportation, and debt service;

(ii) the aggregate operating expenditures made on behalf of individual schools by each county board of education;

(iii) the amount of funding being provided to public charter schools and other public schools by local school systems;

(iv) the value of services being provided to public charter schools and other public schools by local school systems, including central office expenditures;

(v) the amount of funding provided by public charter schools to any third party, including a charter management organization;

(vi) the availability of federal funding for public charter schools, including options for Maryland to access federal charter school program grants; and

(vii) the potential availability of innovative financing for public charter school facilities that would not directly affect the State operating or capital budget; and

(2) an assessment of the need to collect central office and school level expenditure data on an ongoing basis.

(c) (1) Local school systems and public charter schools shall provide data as requested by the State Department of Education to complete the study.

(2) If a local school system fails to comply with the requirements of paragraph (1) of this subsection, the State Superintendent of Schools, with the approval of the State Board of Education, may notify the Comptroller to withhold 10% of the next installment and each subsequent installment due to the local school system from the State until the State Superintendent notifies the Comptroller that the local school system is in full compliance with the requirements of this section.

(3) If a public charter school fails to comply with the requirements of paragraph (1) of this subsection, as determined by the State Superintendent of Schools, the State Superintendent may notify the local school system to withhold 10% of the next installment and each subsequent installment due to the public charter school from the school system until the State Superintendent notifies the school system that the public charter school is in full compliance with the requirements of this section.

(d) On or before December 1, 2015, the State Department of Education and the Department of Legislative Services shall submit a report on the study conducted under this section to the Governor and, in accordance with § 2-1246 of the State Government Article,

the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding § 9–102.3 of the Education Article, as enacted by Section 1 of this Act, a public charter school that was approved by a county board of education before May 31, 2015, to convert from a public school may provide guaranteed placement for students who live within the geographic attendance area established by the county board of education. A public charter school that is exempt from § 9–102.3 of the Education Article under this section is also exempt from § 9–102.3 of the Education Article on the renewal of its charter contract, subject to the approval of the county board of education in which the public charter school is located.”;

in line 19, strike “2.” and substitute “4.”; and in line 20, strike “October” and substitute “June”.

The preceding 10 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 409 – Senators Montgomery, Raskin, Guzzone, Kagan, Lee, Madaleno, Manno, Nathan–Pulliam, Pinsky, Ramirez, Young, and Zirkin

AN ACT concerning

Protect Our Health and Communities Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0409/514236/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 409

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Protect Our Health and Communities Act” and substitute “Environment – Hydraulic Fracturing – Regulations”; in line 3, strike “prohibiting” and substitute “requiring”; in the same line, after “Environment” insert “to adopt certain”

regulations on or before a certain date.”; strike beginning with “from” in line 3 down through “date” in line 12 and substitute “prohibiting certain regulations adopted by the Department from becoming effective until a certain date”; and strike in their entirety lines 20 through 26, inclusive.

On page 2, strike in their entirety lines 1 through 29, inclusive.

AMENDMENT NO. 2

On page 3, in line 5, strike “AND” and substitute “FOR”; after line 10, insert:

“(B) ON OR BEFORE OCTOBER 1, 2016, THE DEPARTMENT SHALL ADOPT REGULATIONS TO PROVIDE FOR THE HYDRAULIC FRACTURING OF A WELL FOR THE EXPLORATION OR PRODUCTION OF NATURAL GAS IN THE STATE.”;

in line 11, strike “(B)” and substitute “(C)”; and strike beginning with “THE” in line 11 down through the colon in line 30 and substitute “REGULATIONS ADOPTED BY THE DEPARTMENT IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION MAY NOT BECOME EFFECTIVE UNTIL OCTOBER 1, 2017.”.

On page 4, strike in their entirety lines 1 through 19, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0409/973125/1

BY: Senator Conway

AMENDMENTS TO SENATE BILL 409, AS AMENDED

AMENDMENT NO. 1

In the Education, Health, and Environmental Affairs Committee Amendments (SB0409/514236/1), in line 6 of Amendment No. 1, after “date” insert “; prohibiting the Department from issuing a permit to authorize the hydraulic fracturing of a well for the exploration or production of natural gas in the State until a certain date”.

AMENDMENT NO. 2

In the Education, Health, and Environmental Affairs Committee Amendments, in line 8 of Amendment No. 2, after “**2017.**” insert:

“(D) THE DEPARTMENT MAY NOT ISSUE A PERMIT FOR THE HYDRAULIC FRACTURING OF A WELL FOR THE EXPLORATION OR PRODUCTION OF NATURAL GAS IN THE STATE UNTIL OCTOBER 1, 2017.”

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 849 – Senator Cassilly

AN ACT concerning

Criminal Procedure – Life Without Parole – Jury Sentencing Repeal

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

SB0849/653821/1

BY: Senator Kelley

AMENDMENTS TO SENATE BILL 849

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Jury Sentencing Repeal” and substitute “Imposition”; in line 3, after the first “of” insert “prohibiting a court from imposing a sentence of life imprisonment without the possibility of parole on an individual who was under a certain age at the time the offense was committed;”; and after line 10, insert:

“BY adding to

Article – Criminal Law

Section 1-402

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)".

AMENDMENT NO. 2

On page 1, after line 23, insert:

"1-402.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COURT MAY NOT IMPOSE A SENTENCE OF LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE ON AN INDIVIDUAL WHO WAS UNDER THE AGE OF 18 YEARS AT THE TIME THAT THE OFFENSE WAS COMMITTED."

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 21 Negative – 26 (See Roll Call No. 731)

FLOOR AMENDMENT

SB0849/933128/1

BY: Senator Benson

AMENDMENTS TO SENATE BILL 849

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Repeal" and substitute "Election"; strike beginning with "repealing" in line 3 down through "whether" in line 4 and substitute "providing that"; in line 4, after "murder" insert "may elect to have a separate jury proceeding to determine if the person"; strike beginning with "establishing" in line 6 down through "circumstances;" in line 8; in line 9, strike "making conforming changes;"; in line 11, strike "with" and substitute "without"; in line 13, strike "and" and substitute a comma; in the same line, after "2-203" insert ", and 2-305"; in line 16, after "repealing" insert "and reenacting, with amendments,"; and in line 18, strike "and 2-305".

AMENDMENT NO. 2

On page 2, in lines 6, 10, 11, 13, 15, 16, 28, and 29, in each instance, strike the brackets; and in line 17, strike beginning with "If" through "title" and substitute "**ON A MOTION BY THE DEFENDANT**".

On page 3, in line 4, strike the bracket.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 20 Negative – 27 (See Roll Call No. 732)

Senator Ferguson moved, duly seconded, to make the Bill a Special Order for April 6, 2015.

The motion was adopted.

Senate Bill 756 – Senator Muse

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Foreclosure Relief Act of 2015

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (4)
OFFERED FROM THE FLOOR BY SENATOR MUSE.

FLOOR AMENDMENT

SB0756/283421/1

BY: Senator Muse

AMENDMENTS TO SENATE BILL 756, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the Judicial Proceedings Committee Amendments (SB0756/438971/1).

On page 1 of the bill, strike beginning with “requiring” in line 3 down through “time” in line 6 and substitute “requiring a secured party that files an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property in Prince George’s County during a certain time period to file a certain notice with the court; requiring a secured party to provide a copy of a certain notice to the Office of the Attorney General”; in line 8, after “findings” insert “and recommendations”; strike beginning with “providing” in line 9 down through “Act;” in line 10; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 3 of the bill, strike in their entirety lines 12 through 27, inclusive; and in line 29, strike “mean” and substitute “means”.

AMENDMENT NO. 3

On page 4 of the bill, strike in their entirety lines 1 and 2 and substitute:

“(b) From June 1, 2015, through December 1, 2015, inclusive, a secured party that files an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property in Prince George’s County shall also file a notice with the court listing:

(1) the number of loan modifications, including mortgage principal reductions, granted by the secured party to homeowners in Prince George’s County during the preceding 6 months;

(2) the number of loan modifications for homeowners in Prince George’s County denied by the secured party during the preceding 6 months; and

(3) the number of foreclosures conducted in Prince George’s County by the secured party during the preceding 6 months.

(c) A secured party shall provide a copy of any notice filed under subsection (b) of this section to the Office of the Attorney General.”.

AMENDMENT NO. 4

On page 4 of the bill, in line 4, before “The” insert “(a)”; in line 5, strike “(a)” and substitute “(1)”; in lines 6, 9, 11, and 13, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively; in line 15, strike “and”; after line 15, insert:

“(2) review the information provided by secured parties under Section 2 of this Act to determine the nature and scope of foreclosure activity in Prince George’s County; and

(3) make findings and recommendations on methods to reduce the number of foreclosure sales and otherwise assist homeowners facing foreclosure in Prince George’s County.”;

in line 16, strike “on” and substitute “On”; in the same line, strike “July 1, 2016,” and substitute “December 1, 2015, the Office of the Attorney General shall”; in line 17, after “findings” insert “and recommendations”; in lines 17 and 18, strike “of the Attorney General” and substitute “made”; and strike beginning with “Section” in line 26 down through “effect.” in line 31.

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 22 Negative – 24 (See Roll Call No. 733)

Senator Rosapepe moved, duly seconded, to recommit the Bill.

The motion was adopted.

CONCURRENCE CALENDAR #7

AMENDED IN THE HOUSE

Senate Bill 15 – ~~Senator Conway~~ Senators Conway, Pinsky, Bates, Kagan, Montgomery, Nathan-Pulliam, Rosapepe, Salling, Simonaire, Waugh, and Young

AN ACT concerning

Task Force to Study the Implementation of a Dyslexia Education Program

Senator Conway moved that the Senate concur in the House amendments.

SB0015/795762/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 15

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike “11”.

AMENDMENT NO. 2

On page 2, in line 7, strike “and” and substitute:

“(6) one representative of the Maryland State Education Association, appointed by the Executive Director of the Association;

(7) one representative of the Maryland School Psychologists’ Association, appointed by the President of the Association; and”;

in line 8, strike “(6)” and substitute “(8)”; in the same line, strike “six”; in line 14, strike “and”; and in line 16, after “treatment” insert “; and

(vi) one representative of Decoding Dyslexia Maryland”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 734)

AMENDED IN THE HOUSE

Senate Bill 94 – Senators Ferguson, Madaleno, Manno, Montgomery, Raskin, ~~and Young~~ Young, and Waugh

AN ACT concerning

State Government – Automated Mapping–Geographic Information Systems – System Services Costs

Senator Conway moved that the Senate concur in the House amendments.

SB0094/736781/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 94

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “products;” insert “authorizing certain governmental units to adopt a fee structure for system products that includes an additional charge of no more than a certain amount;”.

AMENDMENT NO. 2

On page 4, in line 6, after “PRODUCT” insert “AND AN ADDITIONAL CHARGE OF NO MORE THAN \$50”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 735)

AMENDED IN THE HOUSE

Senate Bill 335 – ~~Senator Simonaire~~ Senators Simonaire, Lee, Conway, Pinsky, Bates, Kagan, Montgomery, Nathan-Pulliam, Rosapepe, Salling, Waugh, and Young

AN ACT concerning

Community Colleges – Victims of Human Trafficking – Exemption From Out-of-County and Out-of-Region Fees

Senator Conway moved that the Senate concur in the House amendments.

SB0335/605760/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 335, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after the first “the” insert “Maryland Higher Education”; and strike beginning with “Maryland” in line 11 down through “Education” in line 12.

AMENDMENT NO. 2

On page 3, in line 5, strike “THE TUITION RATE” and substitute “A WAIVER OF THE OUT-OF-COUNTY FEE OR OUT-OF-REGION FEE”; and in line 8, strike “WHO PAY THE TUITION RATE” and substitute “FOR WHOM A WAIVER WAS GRANTED”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 736)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 737)

ADJOURNMENT

At 1:24 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 8:00 P.M. on Legislative Day March 30, 2015, Calendar Day, Monday, April 6, 2015.

Annapolis, Maryland
Legislative Day: March 30, 2015
Calendar Day: Monday, April 6, 2015
8:00 P.M. Session

The Senate met at 8:01 P.M.

Prayer by Deacon Henry Middleton, St. Mary's Catholic Church, guest of Senator Middleton.

(See Exhibit A of Appendix III)

The Journal of March 29, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 740)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 524 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The John Hanson Memorial Association, Inc.
in recognition of
the 300th Anniversary of the birth of John Hanson, the only Marylander ever to occupy
the nation's highest office.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 6th day of April 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 741)

MESSAGE FROM THE EXECUTIVE

EXECUTIVE ORDER
01.01.2015.15

Proclaiming an Extended Session of the Maryland General Assembly

WHEREAS, I, Lawrence J. Hogan, Jr., Governor of the State of Maryland, being advised that the Budget Bill has not been finally acted upon by the General Assembly seven days before the expiration of the 2015 Regular Session of the General Assembly;

WHEREAS, Article III, Section 52 (10) of the Maryland Constitution provides that under these circumstances the Governor shall issue a proclamation extending the Session for a period as may, in the Governor's judgment, be necessary to allow for the passage of the Budget Bill; and

WHEREAS, Other matters may not be considered during such extended Session except a provision for the cost thereof.

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, DO HEREBY PROCLAIM THAT THE 2015 REGULAR SESSION OF THE MARYLAND GENERAL ASSEMBLY IS HEREBY EXTENDED, COMMENCING AT MIDNIGHT ON MONDAY, APRIL 13, 2015 IN THE STATE CAPITAL IN THE CITY OF ANNAPOLIS FOR THE PURPOSE OF PASSING THE STATE BUDGET BILL. THIS EXTENSION MAY NOT EXCEED TEN DAYS, OR SUCH OTHER PERIOD AS SPECIFIED BY AMENDMENT TO THIS EXECUTIVE ORDER.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 6th day of April, 2015.

Lawrence J. Hogan, Jr.
Governor

ATTEST:

John C. Wobensmith
Secretary of State

Read and ordered journalized

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 251	Sen. Pugh	Prof Standards and Teacher Ed Bd – School Cnslrs – Certification Renewal Requirement (Lauryn’s Law)

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 947 – Delegates Pena–Melnyk, Angel, Atterbeary, B. Barnes, Beidle, Campos, Carozza, Carr, Chang, Cullison, Davis, Fraser–Hidalgo, Frick, Frush, Healey, Hill, Hixson, C. Howard, S. Howard, Jalisi, Kaiser, Kelly, Lam, McComas, McDonough, A. Miller, Moon, Morales, O’Donnell, Oaks, Pendergrass, B. Robinson, S. Robinson, Saab, Sample–Hughes, Shoemaker, Simonaire, Smith, Sophocleus, Tarlau, Valderrama, Valentino–Smith, Vaughn, Waldstreicher, A. Washington, M. Washington, West, B. Wilson, C. Wilson, K. Young, and Zucker

AN ACT concerning

**Professional Standards and Teacher Education Board – School Counselors –
Certification Renewal Requirement
(Lauryn’s Law)**

FOR the purpose of requiring the Professional Standards and Teacher Education Board to require, beginning on or before a certain date, certain ~~applicants for renewal of certification~~ certificate holders applying for renewal of a certificate as a school counselor to have successfully completed a certain number of credit hours of continuing professional development in a certain course regarding the recognition of initial screening for, and response to emotional and behavioral distress in students and other individuals; requiring a certain course to include certain information; obtained, by a method determined by the Board, certain knowledge and skills required to understand and respond to the social, emotional, and personal development of students; requiring the Board to adopt certain regulations; and generally relating to a certification renewal requirement for school counselors by the Professional Standards and Teacher Education Board.

BY adding to

Article – Education

Section 6–704.1

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 965 – Delegates Haynes, Chang, Ebersole, Frush, Hettleman, Hill, Krimm, Lam, Lierman, McIntosh, A. Miller, Morhaim, Tarlau, and P. Young

AN ACT concerning

The Hunger-Free Schools Act of 2015

FOR the purpose of altering a certain definition for ~~a~~ certain fiscal ~~year~~ years to determine the number of students used to calculate a certain grant for schools that participate in a certain federal program; requiring the State Department of Education, in collaboration with certain local school systems, to submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the Department, the Department of Budget and Management, and the Department of Legislative Services to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the compensatory education grant for primary and secondary education.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–207(a)(3)

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #40

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 245 – Frederick County Delegation

EMERGENCY BILL

AN ACT concerning

Frederick County – Alcoholic Beverages – Sunday Permit – Hours of Sale

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 273 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Wine Events, Licensing, Alcohol Awareness Requirements, and Fines

HB0273/464939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 273

(Third Reading File Bill)

On page 2, in lines 15 and 17, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 475 – ~~Delegate Impalleria~~ Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Refillable Wine Container Permits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 835 – Washington County Delegation

AN ACT concerning

Alcoholic Beverages – Washington County – Refillable Container Permit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 851 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – Towne Centre at Laurel – Class A License
PG 316–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 864 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Kent County – Board of Elections – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 938 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Maryland–Washington Regional District – Fairness in
Zoning
MC/PG 112–15**

HB0938/304038/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 938

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike “county”; in the same line, after “board” insert “of Prince George’s County”; and in line 21, after “a” insert “certain”.

AMENDMENT NO. 2

On page 7, in line 7, strike “or”; in line 8, strike “a” and substitute “IN MONTGOMERY COUNTY, A”; in the same line, strike the brackets; and in line 9, after “writing” insert “; OR”

(III) IN PRINCE GEORGE’S COUNTY, A MUNICIPAL CORPORATION THAT APPEARED AT THE HEARING IN PERSON, BY ATTORNEY, OR IN WRITING”.

AMENDMENT NO. 3

On page 8, in line 2, strike “NOTWITHSTANDING ANY OTHER LAW, IN” and substitute “IN”; in the same line, after “COUNTY” insert a comma; in line 5, after “IF” insert “:”

(1)”;

and in line 14, after “WRITING” insert “; AND”

(2) THE REVIEW IS EXPRESSLY AUTHORIZED UNDER THIS DIVISION”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #41**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 156 – Allegany County Delegation and Delegates Anderton, Beidle, Flanagan, and Lafferty

AN ACT concerning

Environment – Bay Restoration Fund – Use of Funds

HB0156/494335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 156

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “specifying” in line 6 down through “measures:” in line 10 and substitute “adding certain funding to an order of priority for certain projects funded by the Bay Restoration Fund in certain fiscal years;”.

AMENDMENT NO. 2

On page 2, in line 6, after “(ii)” insert “1.”; in lines 11 and 15, strike “(III)” and “(IV)”, respectively, and substitute “2.” and “3.”, respectively; in line 14, after “annually,” insert “AND”; in lines 18 and 21, strike “1.” and “2.”, respectively, and substitute “A.” and “B.”, respectively; strike beginning with “AND” in line 23 down through “A.” in line 26 and substitute “C.”; in line 26, strike “(II)” and substitute “1”; in line 27, strike “PARAGRAPH” and substitute “ITEM”; in lines 28 and 30, strike “B.” and “C.”, respectively, and substitute “D.” and “E.”, respectively; and in line 31, after “charges” insert “UNDER § 4-204 OF THIS ARTICLE”.

On page 3, in lines 3, 6, 7, 10, 14, 17, and 18, strike “(V)”, “(VI)”, “(VII)”, “(VIII)”, “(IX)”, “(X)”, and “(XI)”, respectively, and substitute “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, “(VIII)”, and “(IX)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 207 – Delegate S. Robinson

AN ACT concerning

Chesapeake Bay Trust – Investment Options – Expansion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 216 – Delegates Morhaim, Carr, Chang, Ebersole, Fraser-Hidalgo, Frush, Krimm, Lafferty, Lam, McComas, ~~and K. Young~~ K. Young, Angel, Hettleman, Hill, C. Howard, Luedtke, Platt, and Smith

AN ACT concerning

**Environment – Personal Care Products Containing Synthetic Plastic
Microbeads – Prohibition on Manufacturing or Sale**

HB0216/134232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 216

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 21 through 25, inclusive, and substitute:

**“(B) “BIODEGRADABLE” MEANS CAPABLE OF DECOMPOSING BACK INTO
NATURAL ELEMENTS:**

(1) IN A NATURAL ENVIRONMENT, INCLUDING A MARINE ENVIRONMENT; OR

(2) IN WASTEWATER TREATMENT PLANT PROCESSES, IN ACCORDANCE WITH RELEVANT ESTABLISHED GUIDELINES OF ASTM INTERNATIONAL, ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT, OR COMPARABLE ORGANIZATIONS OR AUTHORITIES RECOGNIZED BY THE DEPARTMENT.”.

On page 3, in line 8, strike “**THAT RETAIN A DEFINED SHAPE DURING THEIR LIFE CYCLE**”; in line 12, strike “**BIODEGRADEABLE**” and substitute “**BIODEGRADABLE**”; in line 14, strike “**RINSE-OFF**”; in line 15, strike “**OR**” and substitute a comma; and in the same line, after “**CLEANSING**” insert “**, OR COSMETIC**”.

AMENDMENT NO. 2

On page 3, in line 25, strike “**(1)**”; in line 26, after “**SALE**” insert “**OR ACCEPT FOR SALE**”; and strike in their entirety lines 28 through 30, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 396 – Delegate Turner

AN ACT concerning

Election Law – Primary Election Dates in the Presidential Election Year

HB0396/994532/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 396

(Third Reading File Bill)

On page 1, in line 13, after “5–303(c),” insert “5–305.”; and in line 6, after “changes;” insert “altering the deadline for filing a certain petition to challenge a candidate’s residency.”.

On page 2, after line 6, insert:

“5–305.

(a) This section applies only to a petition that will affect the right of a candidate to have the candidate’s name appear on the ballot in a primary or general election.

(b) A registered voter who is a resident of the district or other geographic area in which a candidate is seeking office may file a petition with the circuit court for that district or geographic area to challenge the candidate’s residency as provided in § 5–202 of this title.

(c) (1) The petition must be filed [6] 9 days after the filing dates provided in § 5–303 of this subtitle and [§ 5–703(c)] §§ 5–703(C) AND 5–703.1(C) of this title.

(2) Judicial review of any petition that is filed under subsection (b) of this section shall be expedited by the circuit court that hears the cause to the extent necessary in consideration of the deadlines established by law, and in no case, longer than 7 days from the date the petition is filed.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 449 – Delegates Fraser–Hidalgo, S. Robinson, Anderson, Angel, Atterbeary, Barkley, B. Barnes, Beidle, Carr, Cullison, Ebersole, Frush, Gutierrez, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Kelly, Lam, Lierman, Luedtke, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnik, Pendergrass, Platt, Reznik, B. Robinson, Smith, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, C. Wilson, and K. Young

AN ACT concerning

Environment – Hydraulic Fracturing – Protect Our Health and Communities**HB0449/214533/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 449

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Protect Our Health and Communities” and substitute “Regulations”; in line 3, strike “prohibiting” and substitute “requiring”; in the same line, after “Environment” insert “to adopt certain regulations on or before a certain date; prohibiting certain regulations adopted by the Department from becoming effective until a certain date;”; strike beginning with “from” in line 3 down through “date;” in line 13; and in line 14, strike “oil or”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 7 through 20, inclusive, and substitute:

“(A) (1) IN THIS SECTION, “HYDRAULIC FRACTURING” MEANS A DRILLING TECHNIQUE THAT EXPANDS EXISTING FRACTURES OR CREATES NEW FRACTURES IN ROCK BY INJECTING FLUIDS, OFTEN A MIXTURE OF WATER AND CHEMICALS, SAND, OR OTHER SUBSTANCES, AND OFTEN UNDER PRESSURE, INTO OR UNDERNEATH THE SURFACE OF THE ROCK FOR PURPOSES THAT INCLUDE WELL DRILLING FOR THE EXPLORATION OR PRODUCTION OF NATURAL GAS.

(2) “HYDRAULIC FRACTURING” INCLUDES:

(I) FRACKING;

(II) HYDROFRACKING; AND

(III) HYDROFRACTURING.”;

strike beginning with “**THE**” in line 21 down through “**UNTIL:**” in line 24 and substitute “**ON OR BEFORE OCTOBER 1, 2016, THE DEPARTMENT SHALL ADOPT REGULATIONS TO PROVIDE FOR THE HYDRAULIC FRACTURING OF A WELL FOR THE EXPLORATION**

OR PRODUCTION OF NATURAL GAS IN THE STATE.”; strike in their entirety lines 25 through 29, inclusive; and strike beginning with “(1)” in line 30 down through “TO:” in line 31 and substitute “**REGULATIONS ADOPTED BY THE DEPARTMENT IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION MAY NOT BECOME EFFECTIVE UNTIL OCTOBER 1, 2017.**”.

On page 4, strike in their entirety lines 1 through 30, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0449/463528/1

BY: Senator Conway

AMENDMENTS TO HOUSE BILL 449, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0449/214533/1), in line 5 of Amendment No. 1, after “date” insert “; prohibiting the Department from issuing a permit to authorize the hydraulic fracturing of a well for the exploration or production of natural gas in the State until a certain date”.

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 8 of Amendment No. 2, after “**2017.**” insert:

“(D) THE DEPARTMENT MAY NOT ISSUE A PERMIT FOR THE HYDRAULIC FRACTURING OF A WELL FOR THE EXPLORATION OR PRODUCTION OF NATURAL GAS IN THE STATE UNTIL OCTOBER 1, 2017.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**House Bill 514 – Delegates Stein, B. Barnes, Frush, Healey, Hettleman, Morhaim,
and S. Robinson**

AN ACT concerning

Maryland Commission on Climate Change

HB0514/984030/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 514

(Third Reading File Bill)

On page 1, in line 7, strike “a” and substitute “an appointed”.

On page 4, in line 22, strike “IN” and substitute “, ONE OF WHOM SHALL REPRESENT”; and in the same line, after “TRADES” insert “AND ONE OF WHOM SHALL REPRESENT THE MANUFACTURING INDUSTRY”.

On page 5, in line 9, strike “A” and substitute “AN APPOINTED”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 769 – Delegate Turner

AN ACT concerning

Election Law – Persons Doing Public Business – Statements of Contributions

HB0769/664236/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 769

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “contribution” insert “or donation”; and in line 10, after “business;” insert “altering the reporting periods and due dates for a statement filed by a person doing public business;”.

AMENDMENT NO. 2

On page 2, in line 9, after the second “contribution” insert “**OR DONATION**”.

On page 4, in line 11, strike “January 31 and July 31” and substitute “**APRIL 30 OR OCTOBER 31**”; and in line 13, strike “within 5 days after the end of the applicable reporting period” and substitute “**ON OR BEFORE THE LAST DAY OF THE MONTH IMMEDIATELY FOLLOWING THE DAY ON WHICH THE REPORTING PERIOD ENDS**”.

On page 5, in line 15, after “**TO**” insert “**OR FOR THE BENEFIT OF**”; and in lines 18 and 26, in each instance, after “**MORE**” insert “**TO A CANDIDATE**”.

On page 6, after line 6, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding § 14–104(b)(2)(ii) of the Election Law Article as enacted by this Act, a person subject to Title 14 of the Election Law Article shall file a statement:

(1) on or before August 31, 2015, to cover a 6–month reporting period beginning on February 1, 2015, and ending on July 31, 2015; and

(2) on or before November 30, 2015, to cover a 3–month reporting period beginning on August 1, 2015, and ending on October 31, 2015.”;

and in line 7, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 785 – Delegates Flanagan, Frush, Lafferty, Mautz, O’Donnell, ~~and Szeliga~~, Szeliga, Anderton, Carr, Cassilly, Fraser-Hidalgo, Jacobs, Jalisi

AN ACT concerning

Recreational Fishing Licenses – Duration and Expiration Date

HB0785/714439/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 785

(Third Reading File Bill)

On page 1, in line 8, strike “providing for the termination of this Act.”.

On page 3, strike beginning with “It” in line 11 down through “effect.” in line 13.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 809 – Delegate McMillan

AN ACT concerning

Municipalities – Parking Authorities

HB0809/264234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 809

(Third Reading File Bill)

On page 6, in line 16, after “county” insert “OR MUNICIPALITY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #30

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 207 – Senator Klausmeier

AN ACT concerning

Telephone Companies – Streamlined Regulatory Requirements

SB0207/797777/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 207

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Klausmeier” and substitute “Senators Klausmeier, Pugh, Middleton, Benson, Feldman, Kelley, and Mathias”; in line 5, after the first “a” insert “certain”; in line 7, after “circumstances;” insert “providing that a telephone company that is regulated in a certain manner is not required to file with the Commission a certain tariff schedule for certain regulated retail services under certain circumstances; providing that a telephone company that is not regulated in a certain manner is not required to file with the Commission a certain tariff schedule for certain regulated retail services under certain circumstances; authorizing the Commission to issue certain orders or adopt certain regulations;”; strike beginning with “allowing” in line 12 down through “notice;” in line 13 and substitute “requiring the Commission to make a certain determination on certain services on or before a certain date; requiring the Commission to study whether and how a telephone company should be authorized to withdraw certain services in the State; requiring the Commission to make a determination whether certain changes are needed to regulations to ensure that customers are properly and conspicuously notified of certain rate increases; requiring the Commission to report its findings and recommendations of a certain study and determination on or before a certain date;”; and strike in their entirety lines 25 through 28, inclusive.

On page 2, strike line 1, in its entirety.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Utilities”;

in line 17, strike “SUBJECT” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C)(1) OF THIS SECTION AND SUBJECT”; in same line, strike “(C)” and substitute “(C)(2)”; and after line 25, insert:

“(C) (1) (I) A TELEPHONE COMPANY THAT IS REGULATED USING AN ALTERNATIVE FORM OF REGULATION UNDER § 4-301 OF THIS TITLE FOR BASKETS OF SERVICES IS NOT REQUIRED TO FILE WITH THE COMMISSION A TARIFF SCHEDULE OF ITS RATES AND CHARGES FOR ITS REGULATED RETAIL SERVICES THAT ARE INCLUDED IN BASKET 4 “DISCRETIONARY SERVICES” AND BASKET 5 “COMPETITIVE SERVICES”.

(II) A TELEPHONE COMPANY THAT IS NOT REGULATED USING AN ALTERNATIVE FORM OF REGULATION UNDER § 4-301 OF THIS TITLE FOR BASKETS OF SERVICES IS NOT REQUIRED TO FILE WITH THE COMMISSION A TARIFF SCHEDULE OF ITS RATES AND CHARGES FOR ITS REGULATED RETAIL SERVICES THAT, AS DETERMINED BY THE COMMISSION, ARE SIMILAR TO THE SERVICES INCLUDED IN BASKET 4 “DISCRETIONARY SERVICES” AND BASKET 5 “COMPETITIVE SERVICES”.”.

On page 2, in line 26, strike “(C)” and substitute “(2)”; in the same line, after “LAW,” insert “EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION,”; in the same line, after “FINDS” insert “AFTER NOTICE AND HEARING”; in line 28, after “COMPANY” insert “THAT HAS 20,000 OR FEWER SUBSCRIBERS”; and after line 30, insert:

“(3) THE COMMISSION MAY ISSUE ORDERS OR ADOPT REGULATIONS THAT THE COMMISSION DETERMINES NECESSARY TO REGULATE A SERVICE IN

WHICH A TELEPHONE COMPANY IS NOT REQUIRED TO FILE A TARIFF SCHEDULE OF ITS RATES AND CHARGES UNDER THIS SUBSECTION.”.

On page 3, before line 1, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Utilities”.

AMENDMENT NO. 3

On page 6, strike in their entirety lines 6 through 22, inclusive, and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That, on or before September 1, 2015, the Public Service Commission shall determine, as provided under § 4–202(c)(1)(ii) of the Public Utilities Article, as enacted by Section 2 of this Act, which regulated retail services for a telephone company that is not regulated using an alternative form of regulation are similar to the regulated retail services included in Basket 4 “Discretionary Services” and Basket 5 “Competitive Services”.

SECTION 5. AND BE IT FURTHER ENACTED, That, on or before September 1, 2015, the Public Service Commission shall:

(a) (1) study whether and how a telephone company should be authorized to withdraw a regulated retail service in the State; and

(2) determine whether any changes are necessary to current regulations to ensure that customers are properly and conspicuously notified of a rate increase of a regulated retail service; and

(b) report its findings and recommendations from its study under subsection (a)(1) of this section and from its determination under subsection (a)(2) of this section, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect September 1, 2015.”;

in line 23, strike “2.” and substitute “7.”; in the same line, after “Act” insert “, except as provided in Section 6 of this Act,”; and in line 24, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #22

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 905 – Senator Kasemeyer

AN ACT concerning

Income Tax – Film Production Activity Tax Credit

SB0905/469239/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 905

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Kasemeyer” and substitute “Senators Kasemeyer, Madaleno, Currie, DeGrange, Ferguson, Guzzone, King, Manno, McFadden, and Peters”; in line 3, strike “extending” and substitute “repealing”; in line 6, after “years;” insert “establishing the Maryland Film Production Activity Tax Credit Reserve Fund; stating the intent of the General Assembly that the Governor include a certain appropriation to the Reserve Fund in the annual budget bill; requiring the Comptroller to transfer certain amounts from the Reserve Fund to the General Fund under certain circumstances;”; in line 10, after “period;” insert “requiring the Department to report to the Governor and the General Assembly on or before a certain date each year on certain tax credit amounts;”; after line 16, insert:

“BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–730(b)

Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)”;

in line 19, strike “(e)” and substitute “(d)”; and in line 24, after “10–730(g)” insert “and (h)”.

AMENDMENT NO. 2

On page 2, after line 7, insert:

“(b) (1) A qualified film production entity may claim a credit against the State income tax for film production activities in the State in an amount equal to the amount stated in the final tax credit certificate approved by the Secretary for film production activities.

(2) If the tax credit allowed under this section in any taxable year exceeds the total tax otherwise payable by the qualified film production entity for that taxable year, the qualified film production entity may claim a refund in the amount of the excess.

(d) (1) After completion of the film production activity, a qualified film production entity shall apply to the Department for a tax credit certificate.

(2) The application shall be on a form required by the Secretary and shall include:

- (i) proof of the total direct costs that qualify for the tax credit; and
- (ii) the number of employees hired and wages paid.

(3) Subject to [subsection (f)] SUBSECTIONS (F) AND (G) of this section, the Secretary shall determine the total direct costs that qualify for the tax credit and issue a tax credit certificate for:

- (i) except as provided in item (ii) of this paragraph, 25% of the total direct costs that qualify for the tax credit; and
- (ii) for a television series, 27% of the total direct costs that qualify for the tax credit.

[(4) The Secretary shall notify the Comptroller of the amount of a tax credit certificate issued under this subsection.];

in line 8, after “(e)” insert “**(1)**”; in lines 11, 13, 15, 17, 20, 25, and 29, strike “(1)”, “(2)”, “(3)”, “(4)”, “**(5)**”, “**(6)**”, and “**(7)**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**(V)**”, “**(VI)**”, and “**(VII)**”, respectively; and after line 30, insert:

“(2) ON OR BEFORE JULY 1 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

(I) THE AMOUNT OF TAX CREDITS NECESSARY TO MAINTAIN THE CURRENT LEVEL OF FILM PRODUCTION ACTIVITY IN THE STATE; AND

(II) THE AMOUNT OF TAX CREDITS NECESSARY TO ATTRACT NEW FILM PRODUCTION ACTIVITY TO THE STATE.”.

AMENDMENT NO. 3

On page 3, in line 2, after the semicolon insert “**AND**”; in line 3, strike “**\$25,000,000;**” and substitute “**\$20,000,000.**”; strike in their entirety lines 4 and 5; after line 9, insert:

“(G) (1) IN THIS SUBSECTION, “RESERVE FUND” MEANS THE MARYLAND FILM PRODUCTION ACTIVITY TAX CREDIT RESERVE FUND ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) (I) THERE IS A MARYLAND FILM PRODUCTION ACTIVITY TAX CREDIT RESERVE FUND THAT IS A SPECIAL CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(II) THE MONEY IN THE RESERVE FUND SHALL BE INVESTED AND REINVESTED BY THE TREASURER, AND INTEREST AND EARNINGS SHALL BE CREDITED TO THE GENERAL FUND.

(3) (I) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE SECRETARY SHALL ISSUE AN INITIAL TAX CREDIT CERTIFICATE FOR THE TOTAL DIRECT COSTS INCURRED BY A FILM PRODUCTION ENTITY THAT QUALIFIES FOR A TAX CREDIT.

(II) AN INITIAL TAX CREDIT CERTIFICATE ISSUED UNDER THIS SUBSECTION SHALL STATE THE MAXIMUM AMOUNT OF TAX CREDIT FOR WHICH THE FILM PRODUCTION ENTITY IS ELIGIBLE.

(III) 1. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBPARAGRAPH, FOR ANY FISCAL YEAR, THE SECRETARY MAY NOT ISSUE INITIAL TAX CREDIT CERTIFICATES FOR CREDIT AMOUNTS IN THE AGGREGATE TOTALING MORE THAN THE AMOUNT APPROPRIATED TO THE RESERVE FUND FOR THAT FISCAL YEAR IN THE STATE BUDGET AS APPROVED BY THE GENERAL ASSEMBLY.

2. IF THE AGGREGATE CREDIT AMOUNTS UNDER INITIAL TAX CREDIT CERTIFICATES ISSUED IN A FISCAL YEAR TOTAL LESS THAN THE AMOUNT APPROPRIATED TO THE RESERVE FUND FOR THAT FISCAL YEAR, ANY EXCESS AMOUNT SHALL REMAIN IN THE RESERVE FUND AND MAY BE ISSUED UNDER INITIAL TAX CREDIT CERTIFICATES FOR THE NEXT FISCAL YEAR.

3. FOR ANY FISCAL YEAR, IF FUNDS ARE TRANSFERRED FROM THE RESERVE FUND UNDER THE AUTHORITY OF ANY PROVISION OF LAW OTHER THAN UNDER PARAGRAPH (4) OF THIS SUBSECTION, THE MAXIMUM CREDIT AMOUNTS IN THE AGGREGATE FOR WHICH THE SECRETARY MAY ISSUE INITIAL TAX CREDIT CERTIFICATES SHALL BE REDUCED BY THE AMOUNT TRANSFERRED.

(IV) FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE GOVERNOR INCLUDE IN THE BUDGET BILL AN APPROPRIATION TO THE RESERVE FUND IN AN AMOUNT EQUAL TO THE AMOUNT THE DEPARTMENT REPORTS AS NECESSARY UNDER SUBSECTION (E)(2) OF THIS SECTION TO:

1. MAINTAIN THE CURRENT LEVEL OF FILM PRODUCTION ACTIVITY IN THE STATE; AND

2. ATTRACT NEW FILM PRODUCTION ACTIVITY TO THE STATE.

(V) NOTWITHSTANDING THE PROVISIONS OF § 7-213 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE GOVERNOR MAY NOT REDUCE

AN APPROPRIATION TO THE RESERVE FUND IN THE STATE BUDGET AS APPROVED BY THE GENERAL ASSEMBLY.

(VI) BASED ON THE ACTUAL AMOUNT OF TOTAL DIRECT COSTS INCURRED BY A FILM PRODUCTION ENTITY, THE SECRETARY SHALL ISSUE A FINAL TAX CREDIT CERTIFICATE TO THE FILM PRODUCTION ENTITY.

(4) (I) EXCEPT AS PROVIDED IN THIS PARAGRAPH, MONEY APPROPRIATED TO THE RESERVE FUND SHALL REMAIN IN THE FUND.

(II) 1. WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER, THE DEPARTMENT SHALL NOTIFY THE COMPTROLLER AS TO EACH FINAL CREDIT CERTIFICATE ISSUED DURING THE QUARTER:

A. THE MAXIMUM CREDIT AMOUNT STATED IN THE INITIAL TAX CREDIT CERTIFICATE FOR THE FILM PRODUCTION ENTITY; AND

B. THE FINAL CERTIFIED CREDIT AMOUNT FOR THE FILM PRODUCTION ENTITY.

2. ON NOTIFICATION THAT A FINAL CREDIT AMOUNT HAS BEEN CERTIFIED, THE COMPTROLLER SHALL TRANSFER AN AMOUNT EQUAL TO THE CREDIT AMOUNT STATED IN THE INITIAL TAX CREDIT CERTIFICATE FOR THE FILM PRODUCTION ENTITY FROM THE RESERVE FUND TO THE GENERAL FUND.”;

and in lines 10 and 28, strike “(G)” and “(H)”, respectively, and substitute “(H)” and “(I)”, respectively.

AMENDMENT NO. 4

On page 4, strike beginning with “The” in line 5 down through the period in line 10, inclusive.

The preceding 4 amendments were read and adopted.

Senator Guzzone moved, duly seconded, to make the Bill and Report a Special Order for April 8, 2015.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #23

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 609 – Senators Brochin, Benson, Guzzone, Kelley, Lee, Madaleno, Manno, McFadden, Montgomery, Pinsky, Raskin, and Rosapepe

AN ACT concerning

State Government – Office of the Child Welfare Ombudsman – Establishment

SB0609/528178/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 609

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Establishment” and substitute “Pilot Program”; in line 3, after “Ombudsman” insert “Pilot Program”; in line 4, strike “and” and substitute “of the Pilot Program; providing for the”; in line 8, strike “authorizing” and substitute “requiring”; strike beginning with “appoint” in line 9 down through “experts” in line 10 and substitute “hire certain staff”; in line 12, after “Ombudsman” insert “and certain staff”; strike beginning with “requiring” in line 12 down through “Office;” in line 14; in line 15, strike “salaries” and substitute “salary”; in line 16, strike “certain staff” and substitute “the Ombudsman”; in the same line, strike “must be” and substitute “shall be as”; strike beginning with “providing” in line 16 down through “salaries;” in line 18 and substitute “requiring the Governor to provide funds in the State budget for the Office to employ certain staff;”; in line 19, after the first semicolon insert “requiring the Department of Human Resources to provide additional staff to the Ombudsman under certain circumstances;”; in line 20, after “services” insert “in certain counties”; in line 22, strike the comma and substitute “and”; strike beginning with the comma in line 23 down through “measures” in line 24; in line 24, after “training” insert “materials”; in line 28, strike “Secretary of Budget and Management;” in line 30, after “Assembly;” insert “requiring the Secretary of Human Resources to submit certain reports to the Governor, the Ombudsman, the Citizens Review Board for Children, the State Council on Child Abuse and Neglect, and the General Assembly;”; and in the same line, after “Ombudsman” insert “and the Secretary of Human Resources”.

On page 2, in line 3, after “terms;” insert “providing for the termination of this Act;”; in line 7, strike “6–511” and substitute “6–509”; and in line 8, after “Ombudsman” insert “Pilot Program”.

AMENDMENT NO. 2

On page 3, in lines 1 and 19, in each instance, after “**OMBUDSMAN**” insert “**PILOT PROGRAM**”; strike beginning with the colon in line 10 down through “**(1)**” in line 11; strike beginning with the semicolon in line 11 down through “**SERVICES**” in line 13; in line 17, after “**(G)**” insert “**“PILOT PROGRAM” MEANS THE OFFICE OF THE CHILD WELFARE OMBUDSMAN PILOT PROGRAM.**”

(H)”;

and in line 21, strike “**OFFICE**” and substitute “**PILOT PROGRAM**”.

On pages 3 and 4, strike beginning with “**INVESTIGATE**” in line 21 on page 3 down through “**NEGLECTED**” in line 3 on page 4 and substitute “:

(1) ESTABLISH AN OFFICE OF THE CHILD WELFARE OMBUDSMAN IN THE OFFICE OF THE ATTORNEY GENERAL;

(2) AUTHORIZE THE OFFICE TO INVESTIGATE AND DETERMINE WHETHER, IN BALTIMORE COUNTY AND PRINCE GEORGE’S COUNTY:

(I) THE NEEDS OF CHILDREN AND FAMILIES UNDER THE JURISDICTION OF THE LOCAL DEPARTMENTS ARE BEING MET IN COMPLIANCE WITH STATE LAW;

(II) THE RIGHTS OF CHILDREN AND FAMILIES UNDER THE JURISDICTION OF THE LOCAL DEPARTMENTS ARE BEING UPHELD; AND

(III) CHILDREN UNDER THE JURISDICTION OF THE LOCAL DEPARTMENTS ARE BEING PROTECTED FROM ABUSE AND NEGLECT; AND

(3) AFTER A PERIOD OF 3 YEARS, EVALUATE WHETHER FUNDING AND STAFFING LEVELS FOR THE OFFICE SHOULD BE INCREASED AND THE SCOPE OF THE OFFICE’S WORK SHOULD BE EXPANDED’.

AMENDMENT NO. 3

On page 4, strike beginning with “**WITH**” in line 5 down through the first “**THE**” in line 7 and substitute “**THE**”; and in line 14, strike “**5**” and substitute “**4**”.

On page 5, strike beginning with “**STAFF**” in line 3 down through “**BUDGET**” in line 4 and substitute “**A FULL-TIME ADMINISTRATIVE ASSISTANT, AS PROVIDED FOR IN THE STATE BUDGET**”; strike beginning with “**(1)**” in line 5 down through “**(C)**” in line 10; in line 17, strike “**STAFF**” and substitute “**ADMINISTRATIVE ASSISTANT**”; strike in their entirety lines 18 through 21, inclusive; in line 25, strike “**SALARIES**” and substitute “**THE SALARY**”; and in the same line, strike “**AND ASSISTANT OMBUDSMEN**”.

On page 6, in line 2, strike “**HIRE NECESSARY STAFF**” and substitute “**EMPLOY A FULL-TIME ADMINISTRATIVE ASSISTANT**”.

On pages 6 and 7, strike in their entirety the lines beginning with line 7 on page 6 through line 8 on page 7, inclusive.

AMENDMENT NO. 4

On page 7, in line 9, strike “**6-507.**” and substitute “**6-506.**”; in line 10, before “**THE**” insert “**(A)**”; and in the same line, strike “**OFFICE**” and substitute “**OMBUDSMAN**”.

On pages 7 and 8, strike in their entirety the lines beginning with line 11 on page 7 through line 26 on page 8, inclusive, and substitute:

“(1) ESTABLISH AND IMPLEMENT PROCEDURES FOR RECEIVING, PROCESSING, RESPONDING TO, AND RESOLVING COMPLAINTS OF ABUSE OR NEGLECT MADE BY OR ON BEHALF OF CHILDREN WHO ARE RECIPIENTS OF THE SERVICES OF THE LOCAL DEPARTMENTS IN BALTIMORE COUNTY AND PRINCE GEORGE’S COUNTY, AS PROVIDED IN § 6-507 OF THIS SUBTITLE; AND

“(2) ESTABLISH AND MAINTAIN A 24-HOUR VOICE MAIL HELPLINE AND WEB SITE TO RECEIVE AND RESPOND TO COMPLAINTS REGARDING THE SAFETY AND

WELFARE OF CHILDREN IN THE CUSTODY OF THE LOCAL DEPARTMENTS IN BALTIMORE COUNTY AND PRINCE GEORGE'S COUNTY."

On page 8, in line 27, strike "(A)" and substitute "(B)"; after line 27, insert:

"(1) IDENTIFY, RECEIVE, INVESTIGATE, AND SEEK THE RESOLUTION OR REFERRAL OF A COMPLAINT MADE BY OR ON BEHALF OF A CHILD INVOLVED IN A CHILD IN NEED OF ASSISTANCE CASE IN BALTIMORE COUNTY OR PRINCE GEORGE'S COUNTY CONCERNING ANY ACT, OMISSION, PRACTICE, POLICY, OR PROCEDURE OF A STATE OR LOCAL AGENCY OR ANY PERSON WORKING ON BEHALF OF THE AGENCY THAT MAY ADVERSELY AFFECT THE HEALTH, SAFETY, OR WELFARE OF THE CHILD;

(2) INSPECT AND REVIEW THE OPERATION, POLICIES, AND PROCEDURES OF FOSTER CARE HOMES, GROUP HOMES, KINSHIP HOMES, RESIDENTIAL TREATMENT FACILITIES, SHELTERS FOR THE CARE OF ABUSED OR NEGLECTED CHILDREN, AND INDEPENDENT LIVING ARRANGEMENTS IN BALTIMORE COUNTY AND PRINCE GEORGE'S COUNTY THAT ARE OPERATED, LICENSED, OR APPROVED FOR PAYMENT BY THE DEPARTMENT OR A LOCAL DEPARTMENT OR USED FOR THE CARE OF CHILDREN IN THE CUSTODY OF A LOCAL DEPARTMENT;

(3) REVIEW, EVALUATE, REPORT, AND MAKE RECOMMENDATIONS TO A STATE OR LOCAL AGENCY CONCERNING THE AGENCY'S PROCEDURES FOR PROVIDING SERVICES IN BALTIMORE COUNTY OR PRINCE GEORGE'S COUNTY TO CHILDREN AND FAMILIES AT RISK OF ABUSE OR NEGLECT, CHILDREN IN STATE OR INSTITUTIONAL CUSTODY, OR CHILDREN AND FAMILIES WHO RECEIVE CHILD PROTECTIVE KINSHIP CARE OR FOSTER CARE SERVICES;

(4) RECEIVE, INVESTIGATE, AND MAKE REFERRALS TO OTHER STATE OR LOCAL AGENCIES, OR TAKE OTHER APPROPRIATE ACTIONS, WITH RESPECT TO COMPLAINTS REGARDING THE ACTIONS OF THE DEPARTMENT, A LOCAL DEPARTMENT, OR A STATE-FUNDED PRIVATE ENTITY IN BALTIMORE COUNTY OR PRINCE GEORGE'S COUNTY THAT PROVIDES SERVICES TO CHILDREN AND FAMILIES WHO ARE AT RISK OF ABUSE OR NEGLECT, CHILDREN IN STATE OR INSTITUTIONAL CUSTODY, OR CHILDREN AND FAMILIES WHO RECEIVE CHILD PROTECTIVE KINSHIP CARE OR FOSTER CARE SERVICES;

(5) CONDUCT UNANNOUNCED SITE VISITS AT REASONABLE TIMES AND IN A REASONABLE MANNER TO ANY INSTITUTION OR FACILITY IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY, TO WHICH CHILDREN ARE COMMITTED OR PLACED, IF:

(I) THE OMBUDSMAN, BEFORE CONDUCTING AN UNANNOUNCED SITE VISIT, HAS INITIATED AN INVESTIGATION INTO THE RESPONSE OR DISPOSITION OF AN ALLEGATION OF ABUSE OR NEGLECT AT THE INSTITUTION OR FACILITY; AND

(II) THERE IS A REASONABLE BASIS TO BELIEVE THAT AN UNANNOUNCED SITE VISIT IS NECESSARY TO CARRY OUT THE OMBUDSMAN’S RESPONSIBILITIES UNDER THIS SUBTITLE;

(6) CONSULT WITH ANY APPROPRIATE STATE OR COUNTY AGENCY OR STATE-FUNDED PRIVATE ENTITY PROVIDING CHILD WELFARE SERVICES TO CHILDREN IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY, AND COMPEL THE COOPERATION AND ASSISTANCE NECESSARY TO ENABLE THE OMBUDSMAN TO PROPERLY PERFORM THE OMBUDSMAN’S RESPONSIBILITIES UNDER THIS SUBTITLE;”;

in line 28, strike “(1)” and substitute “(7)”; and in line 31, strike “(2)” and substitute “(8)”.

On page 9, in lines 1, 3, and 5, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(9)”, “(10)”, and “(11)”, respectively; in line 8, strike “(B)” and substitute “(C)”; in line 9, strike “(A)(3)” and substitute “(B)(9)”; after line 15, insert:

“(D) (1) IF THE OMBUDSMAN REQUIRES ASSISTANCE INVESTIGATING OR RESPONDING TO COMPLAINTS CONCERNING ACTIVITIES OR CONDITIONS THAT PRESENT A SERIOUS RISK OF HARM TO THE SAFETY AND WELL-BEING OF CHILDREN UNDER THE JURISDICTION OF A LOCAL DEPARTMENT, THE OMBUDSMAN MAY REQUEST ADDITIONAL STAFF FROM THE DEPARTMENT.

(2) THE DEPARTMENT SHALL IMMEDIATELY COMPLY WITH A REQUEST MADE UNDER THIS SUBSECTION.”;

in line 16, strike “**6-509.**” and substitute “**6-507.**”; in line 17, after “CHILD” insert “IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY”; in lines 17 and 18, strike “**THE DEPARTMENT OR**”; in line 18, strike “A CHILD” and substitute “WHO IS”; in line 21, strike “**OMBUDSMAN’S 24-HOUR TOLL-FREE HELPLINE**” and substitute “OFFICE”.

On page 10, strike beginning with “SHALL” in line 1 down through “COMPLAINTS” in line 2 and substitute “:

(1) SHALL GIVE PRIORITY TO COMPLAINTS CONCERNING ABUSE OR NEGLECT OR DISCRIMINATION AGAINST CHILDREN UNDER THE JURISDICTION OF A LOCAL DEPARTMENT; AND

(2) FOR COMPLAINTS OTHER THAN THOSE DESCRIBED IN ITEM (1) OF THIS SUBSECTION, MAY SET PRIORITIES BASED ON THE SUBSTANCE AND LIKELY SERIOUSNESS OF THE COMPLAINTS RECEIVED BY THE OFFICE”;

in line 4, strike “THE CHILD’S SAFETY HAS TO BE PARAMOUNT” and substitute “THE OMBUDSMAN SHALL PRIORITIZE THE CHILD’S SAFETY”; in line 8, strike “DEPARTMENT” and substitute “DEPARTMENTS IN BALTIMORE COUNTY AND PRINCE GEORGE’S COUNTY”; strike in their entirety lines 15 and 16; and in lines 17, 19, 21, and 23, strike “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively.

On page 11, in line 24, strike “**6-510.**” and substitute “**6-508.**”; and on page 13, in line 13, strike “**6-511.**” and substitute “**6-509.**”.

AMENDMENT NO. 5

On page 11, in line 1, strike “PROVIDE” and substitute “DEVELOP”; in the same line, after “TRAINING” insert “MATERIALS”; in line 2, strike “ALL” and substitute “DISTRIBUTE TO”; in line 5, after “CHILDREN” insert “IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY”; and in line 32, strike “DEPARTMENT OR”.

On page 12, strike in their entirety lines 5 through 9, inclusive; after line 9, insert:

“(B) (1) ON OR BEFORE SEPTEMBER 30 OF EACH YEAR, THE OFFICE SHALL REPORT TO THE SECRETARY, THE CITIZENS REVIEW BOARD FOR CHILDREN, THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT, THE GOVERNOR, AND, IN

ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY ON ALL THE ACTIVITIES OF THE OFFICE.”;

in line 10, strike “(3)” and substitute “(2)”; in line 11, after “OFFICE;” insert “AND”; in line 23, strike the semicolon and substitute a period; after line 23, insert:

“(C) (1) ON OR BEFORE NOVEMBER 30 OF THE EACH YEAR, THE SECRETARY SHALL REPORT TO THE OMBUDSMAN, THE CITIZENS REVIEW BOARD FOR CHILDREN, THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.”;

in line 24, strike “(III)” and substitute “(2) THE REPORT SHALL INCLUDE:

(I)”;

and in line 26, strike beginning with the comma through “DEPARTMENT”.

On page 13, in line 1, strike “(IV)” and substitute “(II)”; in line 11, after “OFFICE” insert “AND THE DEPARTMENT”; and strike in their entirety lines 4 through 9, inclusive.

AMENDMENT NO. 6

On page 13, in line 26, after the period insert “It shall remain effective for a period of 4 years and, at the end of September 30, 2019, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 6 amendments were read only.

Senator Kelley moved, duly seconded, to make the Bill and Amendments a Special Order for April 7, 2015.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 727 – Senators Norman, Cassilly, and Raskin

AN ACT concerning

Public Safety – Motorcycle Profiling – Training

SB0727/268179/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 727

(First Reading File Bill)

On page 2, in line 10, after the first “**THE**” insert “ARBITRARY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 840 – Senator Waugh

AN ACT concerning

St. Mary’s County – Property Maintenance – Voluntary Agreements

SB0840/688171/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 840

(First Reading File Bill)

On page 1, in line 10, after “repaid;” insert “requiring St. Mary’s County to record notice of the lien in the land records of the county;”; and in line 12, strike “entered”.

On page 2, in line 8, after “(B)” insert “ST. MARY’S COUNTY SHALL RECORD NOTICE OF A LIEN FILED UNDER THIS CHAPTER IN THE LAND RECORDS OF THE COUNTY.”

(C)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #31

CONSENT CALENDAR #58

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 613 – Delegate Hammen

AN ACT concerning

Hospitals – Rate-Setting – Participation in 340B Program Under the Federal Public Health Service Act

HB0613/677074/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 613

(Third Reading File Bill)

On page 1, in line 4, strike “certain”; and in line 5, strike “of a certain hospital” and substitute “that meets certain criteria”.

On page 2, in line 20, after the first “HOSPITAL” insert “THAT, ON OR BEFORE JUNE 1, 2015, IS”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 781 – Delegates Waldstreicher and Beidle

AN ACT concerning

Health Insurance – Coverage for Ostomy Equipment and Supplies – Required

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1080 – Delegates Pena–Melnyk, Angel, B. Barnes, D. Barnes, Barron, Campos, Ebersole, Fraser–Hidalgo, Frush, Gaines, Gutierrez, Hayes, Haynes, Hettleman, Hixson, C. Howard, Jalisi, Kaiser, Lam, Luedtke, McCray, Miele, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, B. Robinson, S. Robinson, Sample–Hughes, Shoemaker, Simonaire, Smith, Valentino–Smith, Vaughn, M. Washington, ~~and C. Wilson~~ C. Wilson, Carey, Hammen, Bromwell, Cullison, Hill, Kelly, Kipke, McDonough, McMillan, Morgan, Pendergrass, Reznik, Rose, Saab, West, and K. Young

AN ACT concerning

**9–1–1 Emergency Telephone System – Multiple–Line Telephone Systems – Direct Dial
(Kari’s Law)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #25

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 71 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2015, and the Maryland Consolidated Capital Bond Loans of 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, and 2014

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2015 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 71 – THE CAPITAL BUDGET

(See Exhibit J of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO HOUSE BILL 71 – THE CAPITAL BUDGET

(See Exhibit K of Appendix III)

The preceding 36 amendments were read only.

Senator DeGrange moved, duly seconded, to make the Bill and Amendments a Special Order for April 8, 2015.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #22

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 189 – Delegates Cluster, Szeliga, Fisher, Folden, Ghrist, S. Howard, Jacobs, Krebs, W. Miller, and Ready

AN ACT concerning

Public Safety – Handgun Permit Background Investigation – Armored Car Company Employees

HB0189/418570/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 189

(Third Reading File Bill)

On page 1, in line 7, strike “for a certain purpose” and substitute “in place of a certain criminal history records check performed by the Department of Public Safety and Correctional Services”.

On page 2, strike beginning with “TO” in line 25 down through “IF” in line 26 and substitute “IN PLACE OF THE CRIMINAL HISTORY RECORDS CHECK REQUIRED BY THIS SECTION IF:”; in line 27, before the first “THE” insert “(1)”; and in line 28, after “POLICE” insert “; AND”

(2) THE SECRETARY PERFORMS A CURSORY CHECK TO VERIFY THE FACTS LISTED IN THE CRIMINAL BACKGROUND INVESTIGATION".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 524 – Delegates McMillan, Hornberger, and O’Donnell

AN ACT concerning

Vehicle Laws – Single Registration Plate – Class L (Historic) Vehicles ~~and Class N (Street Rod) Vehicles~~

HB0524/908573/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 524

(Third Reading File Bill)

On page 1, in line 2, after “Vehicles” insert “and Class N (Street Rod) Vehicles”; in line 4, after “registers” insert “a”; in the same line, strike “certain”; in line 5, strike “vehicles” and substitute “vehicle or Class N (street rod) vehicle”; in line 10, after “13–410(a)” insert “and 13–936.1”; and strike in their entirety lines 13 through 17, inclusive.

On page 2, in line 5, strike “**OR**”; strike beginning with “**THAT**” in line 6 down through “**TITLE**” in line 7 and substitute “**, OR CLASS N (STREET ROD) VEHICLE**”; strike in their entirety lines 11 through 17, inclusive, and substitute:

“13–936.1.”

(a) In this section, “vintage registration plate” means a Maryland registration plate that was actually issued for display on a motor vehicle in a year not less than 25 years prior to January 1 of each calendar year.

(b) [(1) Subject to the provisions of this subsection, the] **THE** owner of a motor vehicle registered under § 13–936 or § 13–937.1 of this subtitle as a Class L (historic) or Class N (street rod) vehicle may display [2] **TWO** vintage registration plates in lieu of A current registration [plates] **PLATE** on that vehicle[.

(2) The Administration may authorize the display of 2 vintage registration plates in lieu of current registration plates on a motor vehicle described in paragraph (1) of this subsection] if:

[(i)] **(1)** The owner of the motor vehicle submits an application on a form prescribed by the Administrator;

[(ii)] **(2)** The [2] **TWO** vintage registration plates were issued in the same year as the model year of the motor vehicle; and

[(iii)] **(3)** The owner of the motor vehicle pays a onetime registration fee of \$25.50.

(c) If the Administration authorizes the display of vintage registration plates under this section:

(1) The vintage registration plates shall remain valid for as long as title to the motor vehicle remains in the person who submitted an application under subsection [(b)(2)(i)] **(B)(1)** of this section; and

(2) A fee in addition to the onetime registration fee prescribed in subsection [(b)(2)(iii)] **(B)(3)** of this section is not required for the issuance of the vintage registration plates.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 600 – St. Mary’s County Delegation

AN ACT concerning

St. Mary's County – Property Maintenance – Voluntary Agreements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 742)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #56

Senate Bill 191 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Credit for Unused Sick Leave –
Clarification**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 743)

The Bill was then sent to the House of Delegates.

Senate Bill 254 – Senator Edwards

AN ACT concerning

**Department of General Services – Deep Creek Lake Buy Down Area Program –
Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 744)

The Bill was then sent to the House of Delegates.

Senate Bill 380 – Senator Mathias

AN ACT concerning

Vehicle Laws – Single Registration Plate – Class L (Historic) Vehicles and Class N (Street Rod) Vehicles

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 745)

The Bill was then sent to the House of Delegates.

Senate Bill 409 – Senators Montgomery, Raskin, Guzzone, Kagan, Lee, Madaleno, Manno, Nathan–Pulliam, Pinsky, Ramirez, Young, and Zirkin

AN ACT concerning

**Protect Our Health and Communities Act
Environment – Hydraulic Fracturing – Regulations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 746)

The Bill was then sent to the House of Delegates.

Senate Bill 595 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Hershey, Hough, Jennings, Klausmeier, Ready, Reilly, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Public Charter School ~~Expansion and~~ Improvement Act of 2015

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 747)

The Bill was then sent to the House of Delegates.

Senate Bill 627 – Senators Eckardt, Ready, ~~and Reilly~~ Reilly, and Serafini

AN ACT concerning

Education – Maintenance of Effort Requirement – ~~Alterations~~ Alteration and Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 748)

The Bill was then sent to the House of Delegates.

Senate Bill 839 – Senator Waugh

AN ACT concerning

St. Mary’s County – Violations of Ordinances, Rules, and Regulations – Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 749)

The Bill was then sent to the House of Delegates.

Senate Bill 937 – Senators Madaleno, Raskin, Kasemeyer, and Miller

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Powdered Alcoholic Beverages – Ban on Sales

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 750)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #12

**House Bill 180 – Delegates Turner, Atterbeary, Barve, Carozza, Ebersole, Hixson,
C. Howard, Kaiser, Luedtke, A. Miller, Platt, A. Washington, and
M. Washington**

AN ACT concerning

**Video Lottery Terminal Revenues – Purse Dedication Account – Standardbred
Racetrack Operating Loss Assistance**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 751)

The Bill was then sent to the House of Delegates.

House Bill 463 – Delegate K. Young

AN ACT concerning

**State Board of Morticians and Funeral Directors – Funeral Establishment
Licenses – Ownership and Operation Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 752)

The Bill was then sent to the House of Delegates.

House Bill 556 – Delegate Pendergrass

AN ACT concerning

State Board of Environmental Health Specialists – Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 753)

The Bill was then sent to the House of Delegates.

House Bill 561 – Delegate Krebs

AN ACT concerning

State Board of Morticians and Funeral Directors – Notice of Member Vacancies

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 754)

The Bill was then sent to the House of Delegates.

House Bill 942 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, McCray, Adams, Arentz, Aumann, Barkley, D. Barnes, Branch, Brooks, Carey, Clippinger, Ebersole, Fennell, Fisher, Frick, Glenn, Hornberger, S. Howard, Impallaria, Jameson, Kaiser, Kramer, Luedtke, Lisanti, Mautz, Metzgar, W. Miller, Patterson, Platt, Reilly, Shoemaker,

Simonaire, Tarlau, Valderrama, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and C. Wilson

AN ACT concerning

Apprenticeship Pilot Program – Apprenticeship Maryland

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 755)

The Bill was then sent to the House of Delegates.

House Bill 978 – Delegates Lam, Hill, Jalisi, ~~and Morhaim~~ Morhaim, McMillan, Oaks, Pena–Melnyk, Miele, Kelly, McDonough, Bromwell, Morgan, Angel, Hammen, Kipke, Cullison, Sample–Hughes, Barron, Reznik, West, Rose, and K. Young

AN ACT concerning

HIV Testing – Informed Consent and Pretest Requirements – Modification

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 756)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #13

CONSENT CALENDAR #7

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 312	Chair, Economic Matters Committee	Commercial Law – Secured Transactions – False Financing Statements	FIN
HB 469	Del. Jameson	Public Utilities – Electricity – Construction of Overhead Transmission Lines	FIN

HB 512	Del. K. Young	Office of Cemetery Oversight – Preneed Burial Contracts – Report Submission Requirement	FIN
HB 540 (Emerg)	Del. Mautz	Public Health – Regulation of Milk Products – Revisions	FIN
HB 562	Del. Kramer	Health Insurance – Ambulance Service Providers – Direct Reimbursement – Repeal of Termination Date	FIN
HB 770	Del. Davis	Insurance – Standard Valuation Law and Reserve and Nonforfeiture Requirements	FIN
HB 786 (Amended)	Del. Davis	Self-Service Storage Facilities – Enforcement of Lien – Advertisement of Sale	FIN
HB 909 (Amended)	Del. Pena– Melnyk	Pilot Program for Small Business Development by Ex-Offenders	FIN

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 7 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 757)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #14

House Bill 191 – Washington County Delegation

AN ACT concerning

~~Washington County – Appointment of Superintendent of Schools – Exemption~~
County Superintendents of Schools – Reappointment Exemption in Washington
County and Recruitment Recommendations

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 758)

The Bill was then sent to the House of Delegates.

House Bill 209 – ~~Delegate Turner~~ Howard County Delegation

AN ACT concerning

**Howard County – Room Rental Tax – Room Rental Fee
Ho. Co. 12-15**

Read the third time and passed by yeas and nays as follows:

Affirmative – 30 Negative – 17 (See Roll Call No. 759)

The Bill was then sent to the House of Delegates.

**House Bill 323 – ~~Delegate Impallaria~~ Delegates Impallaria, Anderton, Beidle,
Cassilly, Flanagan, Healey, Holmes, Jacobs, Lafferty, Lam, and Szeliga**

AN ACT concerning

**Maryland Building Performance Standards – Modifications – Energy Codes –
~~Local Authority~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 760)

The Bill was then sent to the House of Delegates.

**House Bill 543 – Delegate Anderson (By Request – Baltimore City Administration)
and Delegates Conaway, Glenn, and B. Robinson**

AN ACT concerning

Baltimore City – Housing Authority of Baltimore City – Subsidiary Entities

Read the third time and passed by yeas and nays as follows:

Affirmative – 39 Negative – 8 (See Roll Call No. 761)

The Bill was then sent to the House of Delegates.

House Bill 599 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Violations of Ordinances, Rules, and Regulations – Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 762)

The Bill was then sent to the House of Delegates.

**House Bill 868 – Delegates Hayes, Carter, Lierman, McCray, B. Robinson,
Rosenberg, and M. Washington**

AN ACT concerning

Baltimore City – Alcoholic Beverages – Penalties for Sales to Underage Persons

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 763)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #8

AMENDED IN THE HOUSE

Senate Bill 201 – Senator Conway

AN ACT concerning

**State Board for the Certification of Residential Child Care Program
Professionals – Revisions**

Senator Conway moved that the Senate not concur in the House amendments.

SB0201/166286/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 201

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “circumstances;” insert “altering the period of time during which a noncertified person may serve in the capacity of acting program administrator;”.

AMENDMENT NO. 2

On page 4, in line 19, strike “180” and substitute “**60**”; and in lines 25 and 27, in each instance, strike “180–day” and substitute “**60–DAY**”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0201
SPONSOR: Sen Conway
SUBJECT: State Board for the Certification of Residential Child Care Program Professionals – Revisions

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 12 – Senator DeGrange

AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and Records –
Time Period**

Senator Zirkin moved that the Senate not concur in the House amendments.

SB0012/152514/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 12
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning “requiring” in line 4 down through “time;” in line 6; in line 6, strike “after” and substitute “within”; in line 7, after “local department” insert “of social services”; and in line 8, after the semicolon insert “authorizing a local department to immediately expunge certain reports and records of suspected child abuse and neglect under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 7, strike the brackets; strike beginning with “UNLESS” in line 7 down through “THE” in line 9; in line 9, strike the brackets; in the same line, strike “MAINTAIN”; in line 12, strike the second set of brackets; in the same line, strike “FOR AT LEAST ~~10~~ 5”; in line 16, strike “FOR AT LEAST 5 YEARS” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WITHIN 1 YEAR”; and in line 18, strike “5 YEARS” and substitute “1 YEAR”.

AMENDMENT NO. 3

Strike beginning with “THE” in line 19 down through “SUBSECTION” in line 22 and substitute “IF A REPORT IS RULED OUT, THE LOCAL DEPARTMENT MAY, ON GOOD CAUSE SHOWN, IMMEDIATELY EXPUNGE THE REPORT AND ALL ASSESSMENTS AND INVESTIGATIVE FINDINGS”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0012

SPONSOR: Sen DeGrange

SUBJECT: Family Law – Child Abuse and Neglect – Expungement of Reports and Records – Time Period

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Ramirez, Chairman
Senator Norman
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

L A I D O V E R B I L L S

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 934 – Senator Conway

AN ACT concerning

Pawnbrokers – Required Records – Photograph of Pawned Item

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0934/534135/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 934

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and McFadden”; in line 2, before “Pawnbrokers” insert “Secondhand Precious Metal Object Dealers and”; in the same line, after “of” insert “Precious Metal Object or”; in line 3, after “a” insert “secondhand precious metal object dealer or”; in line 4, after “each” insert “precious metal object acquired or”; in line 5, after “of” insert “secondhand precious”

metal object dealers and”; in line 8, strike “12–301(b) and (c)” and substitute “12–301(a), (b), and (c)”; and in line 13, strike “12–302(b)” and substitute “12–302”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“(a) (1) Each dealer shall make a written record, on a form provided by the Secretary, of each business transaction that involves the acquisition of a secondhand precious metal object when the transaction is made.

(2) Each dealer shall retain the original copy of the written record required to be made under paragraph (1) of this subsection at the dealer’s place of business.”.

On page 3, after line 5, insert:

“(a) In addition to any other information required by the Secretary, the records of a dealer shall include:

(1) the date, place, and time of each transaction that involves the acquisition of a precious metal object;

(2) the name and address of the principal, if the transaction is by an agent;

(3) a description of the precious metal object, including:

(i) its approximate metallic composition;

(ii) any jewels, stones, or glass parts;

(iii) any mark, number, word, or other identification on the precious metal object;

(iv) its weight, if payment is based on weight;

(v) a statement whether it appears to have been altered by any means, including:

1. obscuring a serial number or identifying feature;

2. melting; or

3. recutting a gem; and

(vi) the amount paid or other consideration;

(4) A PHOTOGRAPH OF THE PRECIOUS METAL OBJECT;

[(4)] (5) for each individual from whom the dealer acquires a precious metal object:

(i) the name, date of birth, and driver's license number of the individual; or

(ii) identification information about the individual that:

1. positively identifies the individual from at least 2 forms of identification, which may include an age of majority card, military identification, or passport; and

2. provides a physical description of the individual, including the sex, race, any distinguishing features, and approximate age, height, and weight of the individual;

[(5)] (6) a statement indicating whether or not the person making the transaction is personally known to the dealer; and

[(6)] (7) the signature of the person from whom the precious metal object or personal property is acquired and the dealer or employee who accepted the precious metal object.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0934/983423/1

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 934, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0934/534135/1), in line 3 of Amendment No. 1, strike “or”.

On page 1 of the bill, in line 2, strike “Pawned Item”; and in line 4, strike “item”.

AMENDMENT NO. 2

On page 3 of the bill, in line 12, after “(4)” insert “IF THE ITEM IS A PRECIOUS METAL OBJECT,”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Joint Resolution 2 – Senators Pinsky, Benson, Conway, Feldman, Ferguson, Gladden, Guzzone, King, Lee, Manno, McFadden, Montgomery, Nathan–Pulliam, Ramirez, and Raskin

A Senate Joint Resolution concerning

United States Constitution – Amendments Convention – Democracy Amendment

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SJ0002/464132/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 2
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in line 6, strike “freedom” and substitute “individual right”; and in lines 6 and 7, strike “and restores free and fair elections in America” and substitute “, reserves inalienable political rights to natural persons, and authorizes regulation of campaign contributions and electioneering expenditures”.

AMENDMENT NO. 2

On page 1, in line 10, strike “of free and fair elections where” and substitute “that”; in lines 10 and 23, in each instance, strike “freedom” and substitute “individual right”; in line 12, strike “corrupting”; in the same line, strike “massive” and substitute “excessive”; in line 23, strike “secure free and fair elections in order to”; and in line 24, after “our” insert “elections and”.

On page 2, in line 1, strike “Decisions” and substitute “The people have the right to choose the leaders who write our laws, but decisions”; in line 2, strike “turned our public elections into private auctions” and substitute “undermined the American principle of self-government”; strike in their entirety lines 13 through 17, inclusive; in line 19, strike “elected in the states”; in line 20, strike “states,” and substitute “State and reflective of the voter registration in the State, who are elected”; in the same line, strike “in the states” and substitute “and selected by the General Assembly from among State and local officials”; in lines 21 and 22, strike “a state” and substitute “the State”; strike beginning with “except” in line 22 down through “one” in line 24 and substitute “whose goals can be ensured by electing half of the delegates and appointing half of the delegates”; in line 33, strike “to affirm” and substitute “limited to affirming”; in the same line, strike “freedom” and substitute “individual right”; and in lines 33 and 34, strike “and restore free and fair elections in America” and substitute “, reserving inalienable political rights to natural persons and authorizing the regulation of campaign contributions and electioneering expenditures”.

On page 3, in line 36, strike “a constitutional” and substitute “an amendments”.

The preceding 2 amendments were read only.

Senator Hough moved, duly seconded, to make the Bill and Amendments a Special Order for April 7, 2015.

The motion was adopted.

Senate Bill 172 – Senator Gladden

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0172/378779/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “requiring the District Court to state the reasons for a certain finding on the record under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 28, strike the brackets.

On page 3, in lines 4, 6, and 8, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; strike beginning with “**THE**” in line 8 down through “**FACILITY**” in line 10 and substitute “**THE COURT FINDS THAT DETENTION IN A SECURE JUVENILE FACILITY WOULD POSE A RISK OF HARM TO THE CHILD OR OTHERS**”; after line 10, insert:

“(2) IF THE COURT MAKES A FINDING UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION THAT DETENTION IN A SECURE JUVENILE FACILITY WOULD POSE A RISK OF HARM TO THE CHILD OR OTHERS, THE COURT SHALL STATE THE REASONS FOR THE FINDING ON THE RECORD.”;

in line 20, after “(j)” insert “**(1)**”; in lines 24 and 26, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and in lines 30 and 32, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively.

On page 4, in line 1, strike “**(III)**” and substitute “**3.**”; strike beginning with “**THE**” in line 1 down through “**FACILITY**” in line 3 and substitute “**THE DISTRICT COURT FINDS THAT DETENTION IN A SECURE JUVENILE FACILITY WOULD POSE A RISK OF HARM TO THE CHILD OR OTHERS**”; and after line 3, insert:

“(2) IF THE DISTRICT COURT MAKES A FINDING UNDER PARAGRAPH (1)(II)3 OF THIS SUBSECTION THAT DETENTION IN A SECURE JUVENILE FACILITY WOULD POSE A RISK OF HARM TO THE CHILD OR OTHERS, THE DISTRICT COURT SHALL STATE THE REASONS FOR THE FINDING ON THE RECORD.”.

The preceding 2 amendments were read and adopted.

Senator Hershey moved, duly seconded, to make the Bill and Report a Special Order for April 7, 2015.

The motion was adopted.

House Bill 618 – Delegates Carter, Anderson, Dumais, Morales, and Smith

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB0618/128478/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 618

(Third Reading File Bill)

On page 3, in line 14, strike “BY CLEAR AND CONVINCING EVIDENCE”; and in lines 15 and 19, in each instance, strike “SUBSTANTIAL”.

On page 4, strike beginning with “BY” in line 14 down through “EVIDENCE” in line 15; and in lines 16 and 19, in each instance, strike “SUBSTANTIAL”.

The preceding amendment was read only.

Senator Hershey moved, duly seconded, to make the Bill and Amendment a Special Order for April 7, 2015.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 849 – Senator Cassilly

AN ACT concerning

Criminal Procedure – Life Without Parole – Jury Sentencing Repeal

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0849/413827/1

BY: Senator Ferguson

AMENDMENTS TO SENATE BILL 849

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Repeal” and substitute “Election for Minor”; strike beginning with “repealing” in line 3 down through “a” in line 4 and substitute “providing that a certain”; in line 4, after “murder” insert “may elect to have a separate jury proceeding to determine if the person”; strike beginning with “establishing” in line 6 down through “circumstances;” in line 8; in line 9, strike “making conforming changes;”; in line 11, strike “with” and substitute “without”; in line 13, strike “and” and substitute a comma; in the same line, after “2–203” insert “, and 2–305”; in line 16, after “repealing” insert “and reenacting, with amendments,”; and in line 18, strike “and 2–305”.

AMENDMENT NO. 2

On page 2, in lines 6, 10, 11, 13, 15, 16, 28, and 29, in each instance, strike the brackets; and in line 17, strike beginning with “If” through “title” and substitute “ON A MOTION BY A DEFENDANT WHO WAS UNDER THE AGE OF 18 YEARS AT THE TIME THAT THE OFFENSE WAS COMMITTED”.

On page 3, in line 4, strike the bracket.

The preceding 2 amendments were read only.

Senator Cassilly moved, duly seconded, to make the Bill and Amendments a Special Order for April 8, 2015.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 764)

ADJOURNMENT

At 9:53 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 31, 2015, Calendar Day, Tuesday, April 7, 2015.

Annapolis, Maryland
Legislative Day: March 31, 2015
Calendar Day: Tuesday, April 7, 2015
10:00 A.M. Session

The Senate met at 10:02 A.M.

Prayer by Elder Doris D. Sullivan, Oasis of Victory Christian Church, guest of Senator Waugh.

(See Exhibit A of Appendix III)

The Journal of March 30, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 766)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 767)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #57

Senate Bill 207 – ~~Senator Klausmeier~~ Senators Klausmeier, Pugh, Middleton, Benson, Feldman, Kelley, and Mathias

AN ACT concerning

Telephone Companies – Streamlined Regulatory Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 768)

The Bill was then sent to the House of Delegates.

Senate Bill 727 – Senators Norman, Cassilly, and Raskin

AN ACT concerning

Public Safety – Motorcycle Profiling – Training

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 769)

The Bill was then sent to the House of Delegates.

Senate Bill 840 – Senator Waugh

AN ACT concerning

St. Mary’s County – Property Maintenance – Voluntary Agreements

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 770)

The Bill was then sent to the House of Delegates.

Senate Bill 934 – ~~Senator Conway~~ Senators Conway and McFadden

AN ACT concerning

**Secondhand Precious Metal Object Dealers and Pawnbrokers – Required
Records – Photograph of Precious Metal Object ~~or Pawned Item~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 771)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #15

CONSENT CALENDAR #8

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 613 (Amended)	Del. Hammen	Hospitals – Rate-Setting – Participation in 340B Program Under the Fed Public Health Service Act	FIN
HB 781	Del. Waldstreicher	Health Insurance – Coverage for Ostomy Equipment and Supplies – Required	FIN
HB 1080	Del. Pena-Melnyk	9-1-1 Emergency Telephone System – Multiple-Line Telephone Systems – Direct Dial (Kari’s Law)	FIN

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 8 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 772)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #16

House Bill 189 – Delegates Cluster, Szeliga, Fisher, Folden, Ghrist, S. Howard, Jacobs, Krebs, W. Miller, and Ready

AN ACT concerning

Public Safety – Handgun Permit Background Investigation – Armored Car Company Employees

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 773)

The Bill was then sent to the House of Delegates.

House Bill 245 – Frederick County Delegation

EMERGENCY BILL

AN ACT concerning

Frederick County – Alcoholic Beverages – Sunday Permit – Hours of Sale

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 774)

The Bill was then sent to the House of Delegates.

House Bill 273 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Wine Events, Licensing, Alcohol Awareness Requirements, and Fines

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 775)

The Bill was then sent to the House of Delegates.

House Bill 475 – ~~Delegate Impallaria~~ Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Refillable Wine Container Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 776)

The Bill was then sent to the House of Delegates.

House Bill 524 – Delegates McMillan, Hornberger, and O’Donnell

AN ACT concerning

Vehicle Laws – Single Registration Plate – Class L (Historic) Vehicles and Class N (Street Rod) Vehicles

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 777)

The Bill was then sent to the House of Delegates.

House Bill 600 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Property Maintenance – Voluntary Agreements

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 778)

The Bill was then sent to the House of Delegates.

House Bill 835 – Washington County Delegation

AN ACT concerning

Alcoholic Beverages – Washington County – Refillable Container Permit

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 779)

The Bill was then sent to the House of Delegates.

House Bill 851 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – Towne Centre at Laurel – Class A License
PG 316-15**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 780)

The Bill was then sent to the House of Delegates.

House Bill 864 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Kent County – Board of Elections – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 781)

The Bill was then sent to the House of Delegates.

House Bill 938 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Maryland–Washington Regional District – Fairness in Zoning
MC/PG 112–15**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 782)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #9

AMENDED IN THE HOUSE

Senate Bill 334 – Senators Madaleno, Ferguson, Guzzone, Kagan, King, Mathias, ~~and Montgomery~~ Montgomery, Currie, Manno, McFadden, and Peters

AN ACT concerning

The Hunger–Free Schools Act of 2015

Senator Kasemeyer moved that the Senate not concur in the House amendments.

SB0334/135267/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 334

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “Maryland”; in line 6, after “to” insert “submit a certain”; and in line 7, after “date;” insert “requiring the Department, the Department of Budget and”

Management, and the Department of Legislative Services to submit a certain report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 2, strike beginning with “**THROUGH**” in line 9 down through “**2020**” in line 10 and substitute “**AND 2018**”; strike beginning with “**UNITED**” in line 29 down through “**AGRICULTURE**” in line 30; in line 34, strike “**PROGRAM**” and substitute “**PROVISION**”; and after line 36, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 1, 2015, the State Department of Education, the Department of Budget and Management, and the Department of Legislative Services shall report to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on:

(a) the research and analysis in the Adequacy of Funding for Education Study relating to using free and reduced–price meal eligibility as a proxy for representing economically disadvantaged students in the State compensatory education aid formula including:

(1) the proxies used in education formulas in other states, particularly states that participate in the Community Eligibility Provision of the federal Healthy, Hunger–Free Kids Act of 2010; and

(2) the identification and analysis of alternative indicators;

(b) the impact of the Community Eligibility Provision on the State compensatory aid program that uses free and reduced–price meal student count as a proxy for representing economically disadvantaged students in the State;

(c) trends in free and reduced–price meal student counts to compare the free and reduced–price meal student count used for school systems participating in the Community Eligibility Provision to the number of students who would be expected to qualify for free and reduced–price meals in the next 5 years based on past trends;

(d) preliminary recommendations on a new proxy or a revised free and reduced–price meal student count that could be used to represent economically disadvantaged students in the State compensatory education aid formula; and

(e) any proposed changes to the calculation under § 5–207(a)(3) of the Education Article, as enacted by Section 1 of this Act.”.

AMENDMENT NO. 3

On page 3, in lines 1 and 8, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively; and in line 2, strike “Maryland”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0334

SPONSOR: Sen Madaleno, et al

SUBJECT: The Hunger–Free Schools Act of 2015

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Madaleno, Chairman

Senator Ferguson

Senator Eckardt.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #17

House Bill 156 – Allegany County Delegation and Delegates Anderton, Beidle, Flanagan, and Lafferty

AN ACT concerning

Environment – Bay Restoration Fund – Use of Funds

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 783)

The Bill was then sent to the House of Delegates.

House Bill 207 – Delegate S. Robinson

AN ACT concerning

Chesapeake Bay Trust – Investment Options – Expansion

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 784)

The Bill was then sent to the House of Delegates.

House Bill 216 – Delegates Morhaim, Carr, Chang, Ebersole, Fraser-Hidalgo, Frush, Krimm, Lafferty, Lam, McComas, ~~and K. Young~~ K. Young, Angel, Hettleman, Hill, C. Howard, Luedtke, Platt, and Smith

AN ACT concerning

Environment – Personal Care Products Containing Synthetic Plastic Microbeads – Prohibition on Manufacturing or Sale

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 785)

The Bill was then sent to the House of Delegates.

House Bill 396 – Delegate Turner

AN ACT concerning

Election Law – Primary Election Dates in the Presidential Election Year

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 786)

The Bill was then sent to the House of Delegates.

House Bill 449 – Delegates Fraser–Hidalgo, S. Robinson, Anderson, Angel, Atterbeary, Barkley, B. Barnes, Beidle, Carr, Cullison, Ebersole, Frush, Gutierrez, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Kelly, Lam, Lierman, Luedtke, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Platt, Reznik, B. Robinson, Smith, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, C. Wilson, and K. Young

AN ACT concerning

Environment – Hydraulic Fracturing – Protect Our Health and Communities

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 787)

The Bill was then sent to the House of Delegates.

House Bill 514 – Delegates Stein, B. Barnes, Frush, Healey, Hettleman, Morhaim, and S. Robinson

AN ACT concerning

Maryland Commission on Climate Change

Read the third time and passed by yeas and nays as follows:

Affirmative – 35 Negative – 12 (See Roll Call No. 788)

The Bill was then sent to the House of Delegates.

House Bill 769 – Delegate Turner

AN ACT concerning

Election Law – Persons Doing Public Business – Statements of Contributions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 789)

The Bill was then sent to the House of Delegates.

House Bill 785 – Delegates Flanagan, Frush, Lafferty, Mautz, O’Donnell, ~~and Szeliga~~, Szeliga, Anderton, Carr, Cassilly, Fraser–Hidalgo, Jacobs, Jalisi

AN ACT concerning

Recreational Fishing Licenses – Duration and Expiration Date

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 790)

The Bill was then sent to the House of Delegates.

House Bill 809 – Delegate McMillan

AN ACT concerning

Municipalities – Parking Authorities

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 791)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #23

CONSENT CALENDAR #57

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 507	FAV	Del. Anderson	Baltimore City – Property Tax Credit – Supermarkets
HB 549	FAV	Del. Valentino– Smith	Video Lottery Facility Payouts – Intercepts for Restitution Payments

HB 750 (Emerg)	FAV	Del. B. Robinson	Md Consoldtd Capital Bond Lns of 2013 and 2014 – Balt Cty – Skatepark of Balt at Roosevelt Pk
HB 826	FAV	Del. Hixson	Estate Tax – Alternative Payment Schedule – Penalty Prohibition
HB 828	FAV	Del. Hixson	Estate Tax – Filing of Tax Returns
HB 902	FAV	Calvert County Delegation	Calvert County – Public Facilities Bonds
HB 925 (Emerg)	FAV	Del. Barve	Maryland Consolidated Capital Bond Loan of 2011 – Montgomery County – Water Park at Bohrer Park
HB 970	FAV	Del. D. Barnes	Prince George’s County – Transfer Tax – Deputy Sheriffs
HB 1035	FAV	Del. Oaks	Baltimore City – Tax Sales

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #24

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 76 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Accumulated Contributions of Nonvested Former Members

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 77 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Judges’ Retirement System – Membership, Accrual of Interest, and Reemployment**HB0077/259338/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 77

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Accrual of Interest” and substitute “Benefits”; in line 7, after “circumstances;” insert “clarifying the eligibility for a retirement allowance for certain members of the Judges’ Retirement System who are retired by order of the Court of Appeals; establishing the eligibility for a retirement allowance for certain members of the Judges’ Retirement System who are retired by order of the Court of Appeals; providing for the method of calculating a retirement allowance for certain members of the Judges’ Retirement System who are retired by order of the Court of Appeals and have less than a certain amount of service credit;”; in line 19, after “requirements;” insert “altering a certain definition;”; in line 20, strike “accrual of interest” and substitute “benefits”; in line 24, after “Section” insert “27-101;” and in the same line, after “27-204,” insert “27-401, 27-402(c)(2).”.

On page 2, after line 2, insert:

“BY repealing and reenacting, without amendments,Article – State Personnel and PensionsSection 27-402(a)Annotated Code of Maryland(2009 Replacement Volume and 2014 Supplement)”.AMENDMENT NO. 2

On page 2, after line 10, insert:

“27-101.(a) In this subtitle the following words have the meanings indicated.

(b) “Termination of service” includes:

- (1) retirement at the age [of 70 years as] required by Article IV, § 3 of the Maryland Constitution;
- (2) voluntary retirement;
- (3) resignation because of disability;
- (4) retirement by order of the Court of Appeals;
- (5) resignation;
- (6) nonelection or nonconfirmation when election or confirmation is required;
- (7) expiration of term without reappointment; or
- (8) abolition of the member’s office.”.

AMENDMENT NO. 3

On page 3, after line 6, insert:

“27-401.

- (a) (1) This subsection applies only to an individual who is a member of the Judges’ Retirement System on or before June 30, 2012.
- (2) A member or former member is entitled to a retirement allowance:
 - (i) on termination of service, if the member is at least 60 years old;
 - (ii) on the recommendation of the medical board, if the member or former member resigns because of disability;
 - (iii) when retired by order of the Court of Appeals; or

(iv) at the age of 60 years, if the former member's termination of service occurred earlier.

(b) (1) This subsection applies only to an individual who becomes a member of the Judges' Retirement System on or after July 1, 2012.

(2) A member or former member is entitled to a retirement allowance:

(i) on termination of service, if the member is at least 60 years old and has at least 5 years of eligibility service;

(ii) on the recommendation of the medical board, if the member or former member resigns because of disability;

(iii) when retired by order of the Court of Appeals, **IF THE MEMBER HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE;**

(IV) WHEN RETIRED BY ORDER OF THE COURT OF APPEALS WITH LESS THAN 5 YEARS OF ELIGIBILITY SERVICE, IF THE MEMBER HAS ELIGIBILITY SERVICE EQUAL TO THE MANDATORY RETIREMENT AGE REQUIRED BY ARTICLE IV, § 3 OF THE MARYLAND CONSTITUTION MINUS THE MEMBER'S AGE WHEN THE MEMBER FIRST BECOMES A MEMBER; or

[(iv)] (V) at the age of 60 years, if the former member's termination of service occurred earlier and the former member had at least 5 years of eligibility service when the former member terminated service.

27-402.

(a) Except as provided in subsection (b) of this section and subject to subsections (c) and (d) of this section, on retirement under this subtitle, a retiree is entitled to receive a retirement allowance that equals two-thirds of the salary payable in that fiscal year to a member holding the same level judicial position as that held by the retiree on termination of service.

(c) (2) (i) This paragraph applies only to an individual who becomes a member of the Judges' Retirement System on or after July 1, 2012.

(ii) On retirement under this subtitle by a retiree who has at least 5 years but less than 16 years of service credit as a member, the retiree is entitled to a reduced retirement allowance that equals the retirement allowance computed under subsection (a) or (b) of this section multiplied by a fraction that has:

1. for its numerator, the number of years of service credit as a member; and
2. for its denominator, 16.

(III) ON RETIREMENT UNDER THIS SUBTITLE BY A RETIREE WHO IS ELIGIBLE TO RETIRE UNDER § 27-401(B)(2)(IV) OF THIS SUBTITLE, THE RETIREE IS ENTITLED TO A REDUCED RETIREMENT ALLOWANCE THAT EQUALS THE RETIREMENT ALLOWANCE COMPUTED UNDER SUBSECTION (A) OR (B) OF THIS SECTION MULTIPLIED BY A FRACTION THAT HAS:

1. **FOR ITS NUMERATOR, THE NUMBER OF YEARS OF SERVICE CREDIT AS A MEMBER; AND**
2. **FOR ITS DENOMINATOR, 16.”**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 78 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Noncontributory Pension Benefit –
Definition**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 79 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Correctional Officers' Retirement System – Membership and Eligibility for Retirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 134 – Charles County Delegation

AN ACT concerning

Charles County – Property Tax Credit – New or Expanding Businesses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 135 – Charles County Delegation

AN ACT concerning

Charles County – School Construction Excise Tax Rates

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 217 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Credit for Unused Sick Leave – Clarification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 694 – Delegates Jackson, Angel, Barkley, D. Barnes, Barron, Buckel, Carter, Chang, Clippinger, Cluster, Fennell, Frush, Ghrist, Glenn, Haynes, Hettleman, Hill, Jalisi, Knotts, Lam, Luedtke, McConkey, McKay, O'Donnell, Patterson, B. Robinson, Sophocleus, Tarlau, Turner, Valderrama, Valentino-Smith, Vaughn, Vogt, Walker, A. Washington, C. Wilson, and Zucker

AN ACT concerning

**Law Enforcement Officers' Pension System – Division of Parole and Probation –
Warrant Apprehension Unit Employees – Membership**

HB0694/109434/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 694

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “System;” insert “requiring the Board of Trustees to transfer certain funds to the annuity savings fund of the Law Enforcement Officers' Pension System; providing that certain accumulated contributions shall reduce the amount of a required deposit to the annuity savings fund of the Law Enforcement Officers' Pension System;”.

AMENDMENT NO. 2

On page 8, strike beginning with the second “THE” in line 7 down through “OR” in line 8; and after line 25, insert:

“(C) (1) THE BOARD OF TRUSTEES SHALL TRANSFER A MEMBER'S ACCUMULATED CONTRIBUTIONS FROM THE ANNUITY SAVINGS FUND OF THE EMPLOYEE'S PENSION SYSTEM TO THE ANNUITY SAVINGS FUND OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.

(2) THE AMOUNT A MEMBER IS REQUIRED TO DEPOSIT UNDER SUBSECTION (B) OF THIS SECTION SHALL BE REDUCED BY THE AMOUNT OF ACCUMULATED CONTRIBUTIONS TRANSFERRED UNDER THIS SUBSECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 907 – Delegates W. Miller, Kittleman, Krebs, and Shoemaker

AN ACT concerning

Employees’ Pension System – Town of Sykesville – Service Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 609 – Senators Brochin, Benson, Guzzone, Kelley, Lee, Madaleno, Manno, McFadden, Montgomery, Pinsky, Raskin, and Rosapepe

AN ACT concerning

State Government – Office of the Child Welfare Ombudsman – Establishment

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB0609/528178/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 609

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Establishment” and substitute “Pilot Program”; in line 3, after “Ombudsman” insert “Pilot Program”; in line 4, strike “and” and substitute “of the Pilot Program; providing for the”; in line 8, strike “authorizing” and substitute “requiring”;

strike beginning with “appoint” in line 9 down through “experts” in line 10 and substitute “hire certain staff”; in line 12, after “Ombudsman” insert “and certain staff”; strike beginning with “requiring” in line 12 down through “Office;” in line 14; in line 15, strike “salaries” and substitute “salary”; in line 16, strike “certain staff” and substitute “the Ombudsman”; in the same line, strike “must be” and substitute “shall be as”; strike beginning with “providing” in line 16 down through “salaries;” in line 18 and substitute “requiring the Governor to provide funds in the State budget for the Office to employ certain staff;”; in line 19, after the first semicolon insert “requiring the Department of Human Resources to provide additional staff to the Ombudsman under certain circumstances;”; in line 20, after “services” insert “in certain counties”; in line 22, strike the comma and substitute “and”; strike beginning with the comma in line 23 down through “measures” in line 24; in line 24, after “training” insert “materials”; in line 28, strike “Secretary of Budget and Management;”; in line 30, after “Assembly;” insert “requiring the Secretary of Human Resources to submit certain reports to the Governor, the Ombudsman, the Citizens Review Board for Children, the State Council on Child Abuse and Neglect, and the General Assembly;”; and in the same line, after “Ombudsman” insert “and the Secretary of Human Resources”.

On page 2, in line 3, after “terms;” insert “providing for the termination of this Act;”; in line 7, strike “6-511” and substitute “6-509”; and in line 8, after “Ombudsman” insert “Pilot Program”.

AMENDMENT NO. 2

On page 3, in lines 1 and 19, in each instance, after “**OMBUDSMAN**” insert “**PILOT PROGRAM**”; strike beginning with the colon in line 10 down through “**(1)**” in line 11; strike beginning with the semicolon in line 11 down through “**SERVICES**” in line 13; in line 17, after “**(G)**” insert “**“PILOT PROGRAM” MEANS THE OFFICE OF THE CHILD WELFARE OMBUDSMAN PILOT PROGRAM.**”

(H);

and in line 21, strike “**OFFICE**” and substitute “**PILOT PROGRAM**”.

On pages 3 and 4, strike beginning with “**INVESTIGATE**” in line 21 on page 3 down through “**NEGLECTED**” in line 3 on page 4 and substitute “:

(1) ESTABLISH AN OFFICE OF THE CHILD WELFARE OMBUDSMAN IN THE OFFICE OF THE ATTORNEY GENERAL;

(2) AUTHORIZE THE OFFICE TO INVESTIGATE AND DETERMINE WHETHER, IN BALTIMORE COUNTY AND PRINCE GEORGE’S COUNTY:

(I) THE NEEDS OF CHILDREN AND FAMILIES UNDER THE JURISDICTION OF THE LOCAL DEPARTMENTS ARE BEING MET IN COMPLIANCE WITH STATE LAW;

(II) THE RIGHTS OF CHILDREN AND FAMILIES UNDER THE JURISDICTION OF THE LOCAL DEPARTMENTS ARE BEING UPHELD; AND

(III) CHILDREN UNDER THE JURISDICTION OF THE LOCAL DEPARTMENTS ARE BEING PROTECTED FROM ABUSE AND NEGLECT; AND

(3) AFTER A PERIOD OF 3 YEARS, EVALUATE WHETHER FUNDING AND STAFFING LEVELS FOR THE OFFICE SHOULD BE INCREASED AND THE SCOPE OF THE OFFICE’S WORK SHOULD BE EXPANDED’.

AMENDMENT NO. 3

On page 4, strike beginning with “WITH” in line 5 down through the first “THE” in line 7 and substitute “THE”; and in line 14, strike “5” and substitute “4”.

On page 5, strike beginning with “STAFF” in line 3 down through “BUDGET” in line 4 and substitute “A FULL-TIME ADMINISTRATIVE ASSISTANT, AS PROVIDED FOR IN THE STATE BUDGET”; strike beginning with “(1)” in line 5 down through “(C)” in line 10; in line 17, strike “STAFF” and substitute “ADMINISTRATIVE ASSISTANT”; strike in their entirety lines 18 through 21, inclusive; in line 25, strike “SALARIES” and substitute “THE SALARY”; and in the same line, strike “AND ASSISTANT OMBUDSMEN”.

On page 6, in line 2, strike “HIRE NECESSARY STAFF” and substitute “EMPLOY A FULL-TIME ADMINISTRATIVE ASSISTANT”.

On pages 6 and 7, strike in their entirety the lines beginning with line 7 on page 6 through line 8 on page 7, inclusive.

AMENDMENT NO. 4

On page 7, in line 9, strike “~~6-507.~~” and substitute “6-506.”; in line 10, before “**THE**” insert “**(A)**”; and in the same line, strike “**OFFICE**” and substitute “**OMBUDSMAN**”.

On pages 7 and 8, strike in their entirety the lines beginning with line 11 on page 7 through line 26 on page 8, inclusive, and substitute:

“(1) ESTABLISH AND IMPLEMENT PROCEDURES FOR RECEIVING, PROCESSING, RESPONDING TO, AND RESOLVING COMPLAINTS OF ABUSE OR NEGLECT MADE BY OR ON BEHALF OF CHILDREN WHO ARE RECIPIENTS OF THE SERVICES OF THE LOCAL DEPARTMENTS IN BALTIMORE COUNTY AND PRINCE GEORGE’S COUNTY, AS PROVIDED IN § 6-507 OF THIS SUBTITLE; AND

“(2) ESTABLISH AND MAINTAIN A 24-HOUR VOICE MAIL HELPLINE AND WEB SITE TO RECEIVE AND RESPOND TO COMPLAINTS REGARDING THE SAFETY AND WELFARE OF CHILDREN IN THE CUSTODY OF THE LOCAL DEPARTMENTS IN BALTIMORE COUNTY AND PRINCE GEORGE’S COUNTY.”.

On page 8, in line 27, strike “**(A)**” and substitute “**(B)**”; after line 27, insert:

“(1) IDENTIFY, RECEIVE, INVESTIGATE, AND SEEK THE RESOLUTION OR REFERRAL OF A COMPLAINT MADE BY OR ON BEHALF OF A CHILD INVOLVED IN A CHILD IN NEED OF ASSISTANCE CASE IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY CONCERNING ANY ACT, OMISSION, PRACTICE, POLICY, OR PROCEDURE OF A STATE OR LOCAL AGENCY OR ANY PERSON WORKING ON BEHALF OF THE AGENCY THAT MAY ADVERSELY AFFECT THE HEALTH, SAFETY, OR WELFARE OF THE CHILD;

“(2) INSPECT AND REVIEW THE OPERATION, POLICIES, AND PROCEDURES OF FOSTER CARE HOMES, GROUP HOMES, KINSHIP HOMES, RESIDENTIAL TREATMENT FACILITIES, SHELTERS FOR THE CARE OF ABUSED OR NEGLECTED CHILDREN, AND INDEPENDENT LIVING ARRANGEMENTS IN BALTIMORE COUNTY AND PRINCE GEORGE’S COUNTY THAT ARE OPERATED, LICENSED, OR APPROVED FOR PAYMENT BY THE DEPARTMENT OR A LOCAL DEPARTMENT OR USED FOR THE CARE OF CHILDREN IN THE CUSTODY OF A LOCAL DEPARTMENT;

“(3) REVIEW, EVALUATE, REPORT, AND MAKE RECOMMENDATIONS TO A STATE OR LOCAL AGENCY CONCERNING THE AGENCY’S PROCEDURES FOR PROVIDING SERVICES IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY TO

CHILDREN AND FAMILIES AT RISK OF ABUSE OR NEGLECT, CHILDREN IN STATE OR INSTITUTIONAL CUSTODY, OR CHILDREN AND FAMILIES WHO RECEIVE CHILD PROTECTIVE KINSHIP CARE OR FOSTER CARE SERVICES;

(4) RECEIVE, INVESTIGATE, AND MAKE REFERRALS TO OTHER STATE OR LOCAL AGENCIES, OR TAKE OTHER APPROPRIATE ACTIONS, WITH RESPECT TO COMPLAINTS REGARDING THE ACTIONS OF THE DEPARTMENT, A LOCAL DEPARTMENT, OR A STATE-FUNDED PRIVATE ENTITY IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY THAT PROVIDES SERVICES TO CHILDREN AND FAMILIES WHO ARE AT RISK OF ABUSE OR NEGLECT, CHILDREN IN STATE OR INSTITUTIONAL CUSTODY, OR CHILDREN AND FAMILIES WHO RECEIVE CHILD PROTECTIVE KINSHIP CARE OR FOSTER CARE SERVICES;

(5) CONDUCT UNANNOUNCED SITE VISITS AT REASONABLE TIMES AND IN A REASONABLE MANNER TO ANY INSTITUTION OR FACILITY IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY, TO WHICH CHILDREN ARE COMMITTED OR PLACED, IF:

(I) THE OMBUDSMAN, BEFORE CONDUCTING AN UNANNOUNCED SITE VISIT, HAS INITIATED AN INVESTIGATION INTO THE RESPONSE OR DISPOSITION OF AN ALLEGATION OF ABUSE OR NEGLECT AT THE INSTITUTION OR FACILITY; AND

(II) THERE IS A REASONABLE BASIS TO BELIEVE THAT AN UNANNOUNCED SITE VISIT IS NECESSARY TO CARRY OUT THE OMBUDSMAN’S RESPONSIBILITIES UNDER THIS SUBTITLE;

(6) CONSULT WITH ANY APPROPRIATE STATE OR COUNTY AGENCY OR STATE-FUNDED PRIVATE ENTITY PROVIDING CHILD WELFARE SERVICES TO CHILDREN IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY, AND COMPEL THE COOPERATION AND ASSISTANCE NECESSARY TO ENABLE THE OMBUDSMAN TO PROPERLY PERFORM THE OMBUDSMAN’S RESPONSIBILITIES UNDER THIS SUBTITLE;”;

in line 28, strike “(1)” and substitute “(7)”; and in line 31, strike “(2)” and substitute “(8)”.

On page 9, in lines 1, 3, and 5, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(9)”, “(10)”, and “(11)”, respectively; in line 8, strike “(B)” and substitute “(C)”; in line 9, strike “(A)(3)” and substitute “(B)(9)”; after line 15, insert:

“(D) (1) IF THE OMBUDSMAN REQUIRES ASSISTANCE INVESTIGATING OR RESPONDING TO COMPLAINTS CONCERNING ACTIVITIES OR CONDITIONS THAT PRESENT A SERIOUS RISK OF HARM TO THE SAFETY AND WELL-BEING OF CHILDREN UNDER THE JURISDICTION OF A LOCAL DEPARTMENT, THE OMBUDSMAN MAY REQUEST ADDITIONAL STAFF FROM THE DEPARTMENT.

(2) THE DEPARTMENT SHALL IMMEDIATELY COMPLY WITH A REQUEST MADE UNDER THIS SUBSECTION.”;

in line 16, strike “6-509.” and substitute “6-507.”; in line 17, after “CHILD” insert “IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY”; in lines 17 and 18, strike “THE DEPARTMENT OR”; in line 18, strike “A CHILD” and substitute “WHO IS”; in line 21, strike “OMBUDSMAN’S 24-HOUR TOLL-FREE HELPLINE” and substitute “OFFICE”.

On page 10, strike beginning with “SHALL” in line 1 down through “COMPLAINTS” in line 2 and substitute “:

(1) SHALL GIVE PRIORITY TO COMPLAINTS CONCERNING ABUSE OR NEGLECT OR DISCRIMINATION AGAINST CHILDREN UNDER THE JURISDICTION OF A LOCAL DEPARTMENT; AND

(2) FOR COMPLAINTS OTHER THAN THOSE DESCRIBED IN ITEM (1) OF THIS SUBSECTION, MAY SET PRIORITIES BASED ON THE SUBSTANCE AND LIKELY SERIOUSNESS OF THE COMPLAINTS RECEIVED BY THE OFFICE”;

in line 4, strike “THE CHILD’S SAFETY HAS TO BE PARAMOUNT” and substitute “THE OMBUDSMAN SHALL PRIORITIZE THE CHILD’S SAFETY”; in line 8, strike “DEPARTMENT” and substitute “DEPARTMENTS IN BALTIMORE COUNTY AND PRINCE GEORGE’S COUNTY”; strike in their entirety lines 15 and 16; and in lines 17, 19, 21, and 23, strike “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively.

On page 11, in line 24, strike “~~6-510.~~” and substitute “6-508.”; and on page 13, in line 13, strike “~~6-511.~~” and substitute “6-509.”.

AMENDMENT NO. 5

On page 11, in line 1, strike “~~PROVIDE~~” and substitute “DEVELOP”; in the same line, after “~~TRAINING~~” insert “MATERIALS”; in line 2, strike “~~ALL~~” and substitute “DISTRIBUTE TO”; in line 5, after “~~CHILDREN~~” insert “IN BALTIMORE COUNTY OR PRINCE GEORGE’S COUNTY”; and in line 32, strike “~~DEPARTMENT OR~~”.

On page 12, strike in their entirety lines 5 through 9, inclusive; after line 9, insert:

“(B) (1) ON OR BEFORE SEPTEMBER 30 OF EACH YEAR, THE OFFICE SHALL REPORT TO THE SECRETARY, THE CITIZENS REVIEW BOARD FOR CHILDREN, THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY ON ALL THE ACTIVITIES OF THE OFFICE.”;

in line 10, strike “~~(3)~~” and substitute “(2)”; in line 11, after “~~OFFICE;~~” insert “AND”; in line 23, strike the semicolon and substitute a period; after line 23, insert:

“(C) (1) ON OR BEFORE NOVEMBER 30 OF THE EACH YEAR, THE SECRETARY SHALL REPORT TO THE OMBUDSMAN, THE CITIZENS REVIEW BOARD FOR CHILDREN, THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.”;

in line 24, strike “~~(III)~~” and substitute “(2) THE REPORT SHALL INCLUDE:

(I)”;

and in line 26, strike beginning with the comma through “~~DEPARTMENT~~”.

On page 13, in line 1, strike “~~(IV)~~” and substitute “(II)”; in line 11, after “~~OFFICE~~” insert “AND THE DEPARTMENT”; and strike in their entirety lines 4 through 9, inclusive.

AMENDMENT NO. 6

On page 13, in line 26, after the period insert “It shall remain effective for a period of 4 years and, at the end of September 30, 2019, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 6 amendments were read and adopted.

Senator Klausmeier moved, duly seconded, to make the Bill and Report a Special Order for April 8, 2015.

The motion was adopted.

Senate Joint Resolution 2 – Senators Pinsky, Benson, Conway, Feldman, Ferguson, Gladden, Guzzone, King, Lee, Manno, McFadden, Montgomery, Nathan–Pulliam, Ramirez, and Raskin

A Senate Joint Resolution concerning

United States Constitution – Amendments Convention – Democracy Amendment

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SJ0002/464132/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in line 6, strike “freedom” and substitute “individual right”; and in lines 6 and 7, strike “and restores free and fair elections in America” and substitute “, reserves inalienable political rights to natural persons, and authorizes regulation of campaign contributions and electioneering expenditures”.

AMENDMENT NO. 2

On page 1, in line 10, strike “of free and fair elections where” and substitute “that”; in lines 10 and 23, in each instance, strike “freedom” and substitute “individual right”; in line 12, strike “corrupting”; in the same line, strike “massive” and substitute “excessive”; in line 23, strike “secure free and fair elections in order to”; and in line 24, after “our” insert “elections and”.

On page 2, in line 1, strike “Decisions” and substitute “The people have the right to choose the leaders who write our laws, but decisions”; in line 2, strike “turned our public elections into private auctions” and substitute “undermined the American principle of self-government”; strike in their entirety lines 13 through 17, inclusive; in line 19, strike “elected in the states”; in line 20, strike “states,” and substitute “State and reflective of the voter registration in the State, who are elected”; in the same line, strike “in the states” and substitute “and selected by the General Assembly from among State and local officials”; in lines 21 and 22, strike “a state” and substitute “the State”; strike beginning with “except” in line 22 down through “one” in line 24 and substitute “whose goals can be ensured by electing half of the delegates and appointing half of the delegates”; in line 33, strike “to affirm” and substitute “limited to affirming”; in the same line, strike “freedom” and substitute “individual right”; and in lines 33 and 34, strike “and restore free and fair elections in America” and substitute “, reserving inalienable political rights to natural persons and authorizing the regulation of campaign contributions and electioneering expenditures”.

On page 3, in line 36, strike “a constitutional” and substitute “an amendments”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 792)

FLOOR AMENDMENT

SJ0002/973420/1

BY: Senator Hough

AMENDMENTS TO SENATE JOINT RESOLUTION 2, AS AMENDED

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1 of the bill, strike line 2 in its entirety and substitute “Affirmation of Individuals’ Rights to Vote and Reservation of Inalienable Political Rights to Natural Persons”; in line 3, strike “applying to” and substitute “urging”; and strike beginning with “for” in line 3 down through “affirms” in line 6 and substitute “to take any action deemed necessary to affirm”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SJ0002/464132/1), in line 3 of Amendment No. 1, strike “reserves” and substitute “reserve”; and in the same line, strike “authorizes” and substitute “authorize”.

AMENDMENT NO. 2

On page 2 of the bill, strike beginning with “and” in line 3 down through “above;” in line 28; strike beginning with the second comma in line 29 down through “Constitution,” in line 30; in lines 30 and 31, strike “applies to” and substitute “urges”; and strike beginning with “for” in line 31 down through “Constitution” in line 33 and substitute “to take any action deemed necessary”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “State” in line 10 down through “elected” in line 11; strike beginning with “and” in line 12 down through “officials” in line 13; in line 13, strike “the State”; strike beginning with “whose” in line 15 down through “delegates” in line 16; in line 16, strike “limited”; in the same line, strike “affirming” and substitute “affirm”; in line 18, strike “reserving” and substitute “reserve”; and in line 19, strike “authorizing” and substitute “authorize”.

On pages 2 and 3 of the bill, strike in their entirety the lines beginning with line 35 on page 2 through line 31 on page 3, inclusive.

On page 3 of the bill, strike beginning with “the” in line 32 down through “Resolution” in line 37 and substitute “a copy of this Resolution be forwarded by the Department of Legislative Services to the Maryland Congressional Delegation: Senators Barbara A. Mikulski and Benjamin L. Cardin, Senate Office Building, Washington, D.C. 20510; and Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes, Donna Edwards, Steny Hamilton Hoyer, John Delaney, Elijah E. Cummings, and Christopher Van Hollen, Jr., House Office Building, Washington, D.C. 20515”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 2, strike “an amendments”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 29 (See Roll Call No. 793)

FLOOR AMENDMENT

SJ0002/273720/1

BY: Senator Reilly

AMENDMENTS TO SENATE JOINT RESOLUTION 2, AS AMENDED
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, after “Democracy” insert “and Balanced Budget”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SJ0002/464132/1), in line 3 of Amendment No. 1, strike “and”; and in line 4, after “expenditures” insert “, and that requires, in the absence of a national emergency, a balanced federal budget and the appropriate exercise of fiscal restraint”.

AMENDMENT NO. 2

On page 2 of the bill, in line 28, strike “now, therefore, be it” and substitute “and”

WHEREAS, At least 18 states have adopted resolutions applying to the U.S. Congress to require that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; now, therefore, be it”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in the second line from the bottom of Amendment No. 2, strike “and” and substitute a comma; and in the last line from the bottom of Amendment No. 2, after “expenditures” insert “, and requiring, in the absence of a national emergency, a balanced federal budget and the appropriate exercise of fiscal restraint”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 29 (See Roll Call No. 794)

FLOOR AMENDMENT

SJ0002/333227/2

BY: Senator Hershey

AMENDMENTS TO SENATE JOINT RESOLUTION 2
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in line 7, before “and generally” insert “limiting the application of this Joint Resolution to the legislatures of the several states to a certain period of years:”.

AMENDMENT NO. 2

On page 3, in line 1, strike “a continuing” and substitute “an”; and in line 2, after “until” insert “the earlier of 20 years after both Houses of this legislature adopt this Joint Resolution or”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 29 (See Roll Call No. 795)

Read the second time and ordered prepared for Third Reading.

House Bill 618 – Delegates Carter, Anderson, Dumais, Morales, and Smith

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB0618/128478/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 618

(Third Reading File Bill)

On page 3, in line 14, strike “BY CLEAR AND CONVINCING EVIDENCE”; and in lines 15 and 19, in each instance, strike “SUBSTANTIAL”.

On page 4, strike beginning with “BY” in line 14 down through “EVIDENCE” in line 15; and in lines 16 and 19, in each instance, strike “SUBSTANTIAL”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 172 – Senator Gladden

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 796)

ADJOURNMENT

At 11:44 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day April 1, 2015, Calendar Day, Wednesday, April 8, 2015, in honor of Elijah Saunders.

Annapolis, Maryland
Legislative Day: April 1, 2015
Calendar Day: Wednesday, April 8, 2015
10:00 A.M. Session

The Senate met at 10:18 A.M.

Prayer by Reverend Doctor S. Todd Yeary, Douglas Memorial Community Church, guest of Senator Nathan–Pulliam.

(See Exhibit A of Appendix III)

The Journal of March 31, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 798)

Citation: Troi Thomas and Kevin Whitley winning the CEDA Championship

Affirmative – 47 Negative – 0 (See Roll Call No. 799)

CONCURRENCE CALENDAR #11

AMENDED IN THE HOUSE

Senate Bill 497 – Senators Pinsky, Astle, Benson, Brochin, Conway, Currie, Eckardt, Edwards, Feldman, Guzzone, Jennings, Kagan, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Nathan–Pulliam, Peters, Pugh, Ramirez, Raskin, Reilly, Rosapepe, Waugh, ~~and Young~~ Young, Bates, Salling, and Simonaire

AN ACT concerning

Commission to Review Maryland’s Use of Assessments and Testing in Public Schools

Senator Conway moved that the Senate not concur in the House amendments.

SB0497/535564/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 497

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “date;” insert “requiring the State Department of Education to survey and assess certain data relating to local, State, and federally mandated assessments; requiring the Department to report certain results to the State Board of Education, each county board of education, certain educational organizations and certain legislative committees on or before a certain date; requiring each county board and certain educational organizations to review and consider certain results and make certain comments on or before a certain date; requiring the State Board to review and consider certain results, make certain comments, and submit a certain compilation;”.

AMENDMENT NO. 2

On page 4, in line 25, strike “April” and substitute “September”; in line 28, strike “June” and substitute “November”.

On page 5, in line 8, strike “General Assembly” and substitute “Governor and”; in line 9, after “Article” insert “, the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means”; after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State Department of Education shall:

(1) survey and assess how much time is spent in each grade and in each local school system on administering local, State, and federally mandated assessments; and

(2) compile the results of the survey referred to in item (1) of this subsection into documents that are consistent across local school systems and grade levels.

(b) (1) The compilation referred to in subsection (a)(2) of this section shall include the following information for each assessment administered in a local school system, in matrix form:

(i) the title of the assessment;

- (ii) the purpose of the assessment;
- (iii) if the assessment is a local, State, or federal assessment;
- (iv) the grade level to which the test is administered;
- (v) the subject area of the assessment;
- (vi) the testing window of the assessment;
- (vii) how long a student has to complete the assessment; and
- (viii) if the assessment requires a change in the school schedule.

(2) The compilation referred to in subsection (a)(2) of this section shall include the following information for each assessment administered in a local school system, in narrative form:

- (i) if the assessment requires any test preparation;
- (ii) if the assessment must be taken by pencil and paper or by electronic device;
- (iii) if the assessment must be taken by electronic device, the student to electronic device ratio;
- (iv) if the assessment is a high-stakes assessment;
- (v) the date the assessments are turned in to receive results;
- (vi) the date the results of the assessment is or was released;
- (vii) to whom the results of the assessment is or was released;
- (viii) how much time passes between administration of the assessment and the receipt of the results of the assessment;

(ix) if the assessment requires proctors or other personnel to administer the assessment;

(x) if the assessment requires technological support to administer the assessment;

(xi) if the assessment allows for accommodations for students with disabilities; and

(xii) if the assessment is available in other languages for English language learners.

(c) (1) On or before August 31, 2015, and October 15, 2015, the Department shall submit the documents referred to in subsection (b)(1) and (2) of this section, respectively, to:

(i) the State Board of Education;

(ii) each county board of education;

(iii) the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means; and

(iv) the Maryland Association of Boards of Education, Maryland State Education Association, Maryland PTA, Public School Superintendents Association of Maryland, and any other educational organization in the State that the Governor chooses.

(2) (i) On or before November 30, 2015, each county board of education and each organization listed in paragraph (1)(iv) of this subsection shall:

1. review and consider the results of the Department's surveys;

2. make comments and recommendations related to the results of the Department's surveys to the State Board; and

3. make the comments and recommendations available to the public on request.

(ii) The organizations listed in paragraph (1)(iv) of this subsection shall provide comments and recommendations that are one to three pages in length.

(3) On or before December 31, 2015, the State Board shall:

(i) review and consider the results of the Department's surveys;

(ii) make comments and recommendations related to the results of the Department's surveys; and

(iii) submit a compilation to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2-1246 of the State Government Article, of the comments and recommendations of the State Board, each county board of education, and each organization listed in paragraph (1)(iv) of this subsection.”;

and in line 12, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0497

SPONSOR: Sen Pinsky, et al

SUBJECT: Commission to Review Maryland's Use of Assessments and Testing in Public Schools

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chairman

Senator Rosapepe

Senator Salling.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #10

AMENDED IN THE HOUSE

**Senate Bill 508 – Senators Hough, Cassilly, King, Lee, Ramirez, Raskin, Waugh,
and Ready**

AN ACT concerning

**Children – Child Care Facilities, Public Schools, and Nonpublic Schools –
Contractors and Subcontractors**

Senator Conway moved that the Senate concur in the House amendments.

SB0508/125366/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 508

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “crimes;” insert “authorizing the State Board of Education to revoke a certain certificate of approval or letter of tentative approval of a nonpublic school under certain circumstances;”; strike beginning with “amending” in line 12 down through “children” in line 13 and substitute “requiring certain contractors and subcontractors to require certain employees with certain access to children at certain facilities to obtain a certain criminal history records check”; in line 14, after “certain” insert “conforming and”; and in line 23, strike “5–561(b)” and substitute “5–561(a) and (b)”.

On page 2, in line 5, strike “5–561(a)” and substitute “5–561(b–1)”; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On page 3, in line 1, strike “shall” and substitute “:

(1) SHALL;

and in line 2, strike “this section” and substitute “**SUBSECTION (A) OF THIS SECTION; AND**

(2) MAY REVOKE THE CERTIFICATE OF APPROVAL OR LETTER OF TENTATIVE APPROVAL OF A NONPUBLIC SCHOOL THAT VIOLATES SUBSECTION (B) OF THIS SECTION”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 10 through 13, inclusive; in line 14, strike the brackets; and in the same line, strike “(A-1)”.

On page 5, after line 10, insert:

“(B-1) A CONTRACTOR OR SUBCONTRACTOR SHALL REQUIRE AN EMPLOYEE THAT WILL HAVE DIRECT, UNSUPERVISED, AND UNCONTROLLED ACCESS TO CHILDREN IN A FACILITY LISTED IN SUBSECTION (B) OF THIS SECTION TO OBTAIN A CRIMINAL HISTORY RECORDS CHECK UNDER THIS PART VI OF THIS SUBTITLE.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 800)

MESSAGE TO THE SENATE

BILL: SB 0334

SPONSOR: Sen Madaleno, et al

SUBJECT: The Hunger-Free Schools Act of 2015

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Madaleno, Chair
Senator Ferguson
Senator Eckardt

The House appoints:
Delegate M. Washington, Chairman
Delegate Hornberger, and
Delegate Ebersole.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 1105
SPONSOR: Del Zucker, et al
SUBJECT: Disabled Individuals – Task Force on the Maryland ABLE Program

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Zucker, Chairman
Delegate Sophocleus, and
Delegate Carozza.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 1105
SPONSOR: Del Zucker, et al
SUBJECT: Disabled Individuals – Task Force on the Maryland ABLE Program

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Zucker, Chair
Delegate Sophocleus
Delegate Carozza

The Senate appoints:
Senator Serafini, Chairman
Senator Guzzone
Senator Ferguson.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 535 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Jan C. Scruggs
in recognition of

your service to our country and your vision that created the Vietnam Veterans Memorial in Washington, DC. The “Wall” serves as a place of grieving, pilgrimage and healing to veterans, their families and the thousands of people who visit the monument each year.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 8th day of April 2015.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 801)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #58

Senate Bill 172 – Senator Gladden

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 802)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 2 – Senators Pinsky, Benson, Conway, Feldman, Ferguson, Gladden, Guzzone, King, Lee, Manno, McFadden, Montgomery, Nathan–Pulliam, Ramirez, and Raskin

A Senate Joint Resolution concerning

United States Constitution – Amendments Convention – Democracy Amendment

Read the third time and passed by yeas and nays as follows:

Affirmative – 29 Negative – 18 (See Roll Call No. 803)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 905 – Senator Kasemeyer

AN ACT concerning

Income Tax – Film Production Activity Tax Credit

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

FLOOR AMENDMENT

SB0905/949133/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 905, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 3 of the bill, in line 1, strike the brackets; in line 2, strike the semicolon and substitute a period; and in line 3, strike “(IV) FOR FISCAL YEAR 2017,”.

AMENDMENT NO. 2

On page 3 of the Budget and Taxation Committee Amendments (SB0905/469239/1), in line 1 of Amendment No. 3, strike “AND”; and in line 2, strike “\$20,000,000.”.

AMENDMENT NO. 3

On page 5 of the Budget and Taxation Committee Amendments, in line 4 of Amendment No. 3, strike “2018” and substitute “2017”.

The preceding 3 amendments were read and adopted.

FLOOR AMENDMENT

SB0905/583325/1

BY: Senator Klausmeier

AMENDMENT TO SENATE BILL 905, AS AMENDED

On page 1 of the Budget and Taxation Committee Amendments (SB0905/469239/1), in line 3 of Amendment No. 1, strike “and Peters” and substitute “Peters, and Klausmeier”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the following special order Bill with amendments:

House Bill 71 – The Speaker (By Request – Administration)

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2015,
and the Maryland Consolidated Capital Bond Loans of 2004, 2005, 2006, 2007,
2008, 2009, 2010, 2011, 2012, 2013, and 2014**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (36) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2015 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 71 – THE CAPITAL BUDGET

(See Exhibit J of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO HOUSE BILL 71 – THE CAPITAL BUDGET

(See Exhibit K of Appendix III)

Committee amendment 1 was read and adopted.

Committee amendments 2 through 6 were read and adopted.

Committee amendments 7 through 10 were read and adopted.

Committee amendments 11 through 28 were read and adopted.

Committee amendments 29 through 36 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0071/113426/1

BY: Senator Bates

AMENDMENTS TO HOUSE BILL 71
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 28, after “reconciliations;” insert “stating the intent of the General Assembly that the Capital Debt Affordability Committee shall submit a certain report to the budget committees of the General Assembly; providing that the budget committees have a certain period of time to review and comment;”.

AMENDMENT NO. 2

On page 126, after line 27, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, on or before October 15, 2015, the Capital Debt Affordability Committee shall submit a report to the budget committees of the General Assembly, in accordance with § 2–1246 of the State Government Article, on its review of the affordability process for State debt to examine how the process can better evaluate the cost of increasing authorizations of State debt and better link the affordability criteria with the State’s current fiscal condition. The budget committees shall have 45 days to review and comment.”;

and in line 28, strike “16.” and substitute “17.”.

On page 127, in lines 4, 6, 8, and 10, strike “17.”, “18.”, “19.”, and “20.”, respectively, and substitute “18.”, “19.”, “20.”, and “21.”, respectively; and in line 11, strike “17, 18, and 19” and substitute “18, 19, and 20”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 32 (See Roll Call No. 804)

Read the second time and ordered prepared for Third Reading.

Senator DeGrange moved, duly seconded, to put **House Bill 71** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 805)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put House Bill 71 on Third Reading and Final Passage

House Bill 71 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2015, and the Maryland Consolidated Capital Bond Loans of 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, and 2014

STATUS OF BILL: BILL ON 3RD READING

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 806)

The Bill was then sent to the House of Delegates.

Senate Bill 849 – Senator Cassilly

AN ACT concerning

Criminal Procedure – Life Without Parole – Jury Sentencing Repeal

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR FERGUSON.

FLOOR AMENDMENT

SB0849/413827/1

BY: Senator Ferguson

AMENDMENTS TO SENATE BILL 849

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Repeal” and substitute “Election for Minor”; strike beginning with “repealing” in line 3 down through “a” in line 4 and substitute “providing that a certain”; in line 4, after “murder” insert “may elect to have a separate jury proceeding to determine if the person”; strike beginning with “establishing” in line 6 down through “circumstances;” in line 8; in line 9, strike “making conforming changes;”; in line 11, strike

“with” and substitute “without”; in line 13, strike “and” and substitute a comma; in the same line, after “2–203” insert “, and 2–305”; in line 16, after “repealing” insert “and reenacting, with amendments,”; and in line 18, strike “and 2–305”.

AMENDMENT NO. 2

On page 2, in lines 6, 10, 11, 13, 15, 16, 28, and 29, in each instance, strike the brackets; and in line 17, strike beginning with “If” through “title” and substitute “**ON A MOTION BY A DEFENDANT WHO WAS UNDER THE AGE OF 18 YEARS AT THE TIME THAT THE OFFENSE WAS COMMITTED**”.

On page 3, in line 4, strike the bracket.

The preceding 2 amendments were read only.

Senator Raskin moved, duly seconded, to recommit the Bill.

The motion was adopted.

Senate Bill 609 – Senators Brochin, Benson, Guzzone, Kelley, Lee, Madaleno, Manno, McFadden, Montgomery, Pinsky, Raskin, and Rosapepe

AN ACT concerning

State Government – Office of the Child Welfare Ombudsman – Establishment

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

FLOOR AMENDMENT

SB0609/768776/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 609, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, strike beginning with “prohibiting” in line 1 down through “penalties;” in line 3.

On page 1 of the Judicial Proceedings Committee Amendments (SB0609/528178/1), in line 22 of Amendment No. 1, strike “6–509” and substitute “6–508”.

AMENDMENT NO. 2

On page 7 of the Judicial Proceedings Committee Amendments, in line 16 of Amendment No. 4, strike “6-509.”.

On page 13 of the bill, strike in their entirety lines 14 through 24, inclusive.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #19

House Bill 76 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Accumulated Contributions of
Nonvested Former Members**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 807)

The Bill was then sent to the House of Delegates.

House Bill 77 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Judges’ Retirement System – Membership, Accrual of Interest, and
Reemployment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 808)

The Bill was then sent to the House of Delegates.

House Bill 78 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Noncontributory Pension Benefit –
Definition**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 809)

The Bill was then sent to the House of Delegates.

House Bill 79 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Correctional Officers’ Retirement System – Membership and Eligibility for
Retirement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 810)

The Bill was then sent to the House of Delegates.

House Bill 134 – Charles County Delegation

AN ACT concerning

Charles County – Property Tax Credit – New or Expanding Businesses

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 811)

The Bill was then sent to the House of Delegates.

House Bill 135 – Charles County Delegation

AN ACT concerning

Charles County – School Construction Excise Tax Rates

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 812)

The Bill was then sent to the House of Delegates.

House Bill 217 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Credit for Unused Sick Leave – Clarification

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 813)

The Bill was then sent to the House of Delegates.

House Bill 618 – Delegates Carter, Anderson, Dumais, Morales, and Smith

AN ACT concerning

Juveniles – Transfer Determinations – Confinement in Juvenile Facilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 3 (See Roll Call No. 814)

The Bill was then sent to the House of Delegates.

House Bill 694 – Delegates Jackson, Angel, Barkley, D. Barnes, Barron, Buckel, Carter, Chang, Clippinger, Cluster, Fennell, Frush, Ghrist, Glenn, Haynes, Hettleman, Hill, Jalisi, Knotts, Lam, Luedtke, McConkey, McKay, O'Donnell, Patterson, B. Robinson, Sophocleus, Tarlau, Turner, Valderrama, Valentino-Smith, Vaughn, Vogt, Walker, A. Washington, C. Wilson, and Zucker

AN ACT concerning

Law Enforcement Officers' Pension System – Division of Parole and Probation – Warrant Apprehension Unit Employees – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 815)

The Bill was then sent to the House of Delegates.

House Bill 907 – Delegates W. Miller, Kittleman, Krebs, and Shoemaker

AN ACT concerning

Employees' Pension System – Town of Sykesville – Service Credit

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 816)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #18**CONSENT CALENDAR #9**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 507	Del. Anderson	Baltimore City – Property Tax Credit – Supermarkets	B&T
HB 549	Del. Valentino–Smith	Video Lottery Facility Payouts – Intercepts for Restitution Payments	B&T
HB 750 (Emerg)	Del. B. Robinson	Md Consoldtd Capital Bond Lns of 2013 and 2014 – Balt Cty – Skatepark of Balt at Roosevelt Pk	B&T
HB 826	Del. Hixson	Estate Tax – Alternative Payment Schedule – Penalty Prohibition	B&T
HB 828	Del. Hixson	Estate Tax – Filing of Tax Returns	B&T
HB 902	Calvert County Delegation	Calvert County – Public Facilities Bonds	B&T
HB 925 (Emerg)	Del. Barve	Maryland Consolidated Capital Bond Loan of 2011 – Montgomery County – Water Park at Bohrer Park	B&T
HB 970	Del. D. Barnes	Prince George's County – Transfer Tax – Deputy Sheriffs	B&T

HB 1035

Del. Oaks

Baltimore City – Tax Sales

B&T

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 9 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 817)

The Bills were then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 119 – Delegates Morhaim, Branch, Bromwell, Kipke, Miele, W. Miller, Oaks, Ready, Reznik, Szeliga, Vaughn, and Walker

AN ACT concerning

Construction ~~Contract Clauses~~ Contracts – Change Orders (State Procurement Change Order Fairness Act)

FOR the purpose of ~~requiring each State procurement contract for construction to include a change order clause that prohibits a contractor from requiring a subcontractor to complete work under a change order except under certain circumstances, allows a prime contractor or subcontractor to stop work under certain circumstances, requires a prime contractor to include in its subcontracts a certain clause, and prohibits certain persons from taking certain action under certain circumstances; prohibiting a unit from requiring a prime contractor and a prime contractor from requiring a subcontractor to begin work under a contract until the procurement officer for the unit issues a certain change order; requiring, under certain circumstances, a unit to pay an invoice for work performed and accepted under a change order within a certain time period and in accordance with a certain provision of law; requiring a prime contractor to provide, within a certain time period, a subcontractor with a copy of a certain change order and a certain amount to be paid to the subcontractor; requiring the Board of Public Works to adopt certain regulations before a certain date; requiring each unit to issue certain guidelines; requiring that certain guidelines be updated and reissued under certain circumstances; providing that certain provisions of this Act have effect only to the extent that the provisions do not conflict with federal law; applying the change order clause requirement certain provisions of this Act to certain procurements and units of State government that are generally excluded from State procurement law; requiring a contractor to pay a~~

~~subcontractor an undisputed amount to which the subcontractor is entitled within a certain number of days of receiving a payment for a change order or additional work; providing for the application of certain provisions of this Act; requiring the Secretary of Transportation, in consultation with certain organizations, to convene a certain workgroup to develop recommendations that address certain issues; requiring the workgroup to report its recommendations to certain committees of the General Assembly on or before a certain date; requiring each unit to issue a certain document on or before a certain date; providing that a certain catchline is not law and may not be considered to have been enacted as part of this Act; providing for the effective dates of this Act; and generally relating to ~~required contract clauses~~ change orders for State procurement contracts for construction.~~

BY repealing and reenacting, without amendments,
 Article – State Finance and Procurement
 Section 11–203(a) and (e)(1) ~~and~~, (2) ~~and~~ ~~15–226(a)~~, and (5)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 11–203(b)(1), and (c), ~~(c)(5)~~, and ~~(h)~~ and ~~15–226(c)~~
 Annotated Code of Maryland
 (2009 Replacement Volume and 2014 Supplement)

BY adding to
 Article – State Finance and Procurement
 Section ~~13–219.1~~ 15–112
 Annotated Code of Maryland
 (2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1069 – Delegates Rosenberg and Kaiser

AN ACT concerning

Education – Professional Development for Teachers and Providers of Early Childhood Education – Master Plan

FOR the purpose of requiring the State Department of Education, in collaboration with the Maryland Higher Education Commission and certain representatives from certain institutions of higher education, to develop a certain master plan that focuses on certain issues relating to qualified providers of early childhood education services; providing for the contents of a certain master plan; requiring the Department and the Commission to make certain recommendations; requiring the Department and the Commission to submit a certain plan and certain recommendation on or before a

certain date; providing for the termination of this Act; and generally relating to professional development in the early childhood education workforce.

Read the first time and referred to the Committee on Rules.

House Bill 1177 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Tax Sales – Limited Auction ~~for County Employees~~ and Foreclosure for Abandoned Property

PG 425–15

FOR the purpose of requiring the tax collector in Prince George’s County to conduct a certain limited auction prior to conducting a public auction for property subject to tax liens; specifying the individuals who may participate in a limited auction; ~~requiring certain individuals authorized to place bids at the limited auction to be residents of Prince George’s County;~~ requiring a purchaser of property at a limited auction to occupy the property as the purchaser’s principal residence; requiring the tax collector to include the date, time, and location of a limited auction in certain notices; establishing that a limited auction shall be subject to the same requirements as a certain public auction; establishing that the purchase of property at a limited auction shall be treated the same as the purchase of property at a certain public auction; requiring the tax collector to establish a system to verify that individuals who place bids at a limited auction are eligible to place bids; establishing that a certificate of sale for property purchased at a limited auction is void if it is not purchased by an individual who meets certain criteria; requiring property offered for sale at a limited auction that is not sold at the limited auction to be offered for sale at a public auction; establishing certain remedies when a certificate of sale for property sold at a limited auction is void; authorizing a holder of a certificate of sale for certain property sold at a limited auction to file a complaint to foreclose all rights of redemption in the property at any time after the date of sale; and generally relating to tax sales of property in Prince George’s County.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–817 and 14–833(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 14–833(d)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY adding to

Article – Tax – Property
Section 14–833(h)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1198 – Delegates Oaks, Anderson, and Carter

AN ACT concerning

Baltimore City Civilian Review Board

FOR the purpose of altering the definition of “law enforcement unit” as it relates to the Baltimore City Civilian Review Board so as to increase the number of law enforcement units that are subject to review by the Board; altering the composition of the Board; requiring the Board to hold a minimum number of meetings in locations rotated throughout different police districts in Baltimore City; altering certain definitions; and generally relating to the Baltimore City Civilian Review Board.

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–41
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–43
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

Read the first time and referred to the Committee on Rules.

**House Bill 1237 – Chair, Judiciary Committee (By Request – Departmental –
Public Safety and Correctional Services)**

AN ACT concerning

**Police and Correctional Training Commissions – Applicants – Criminal History
Records Checks**

FOR the purpose of requiring certain applicants for police officer certification to submit to certain criminal history records checks; requiring certain applicants for correctional officer certification or certification as a certain Department of Juvenile Services employee to submit to certain criminal history records checks; requiring certain

applicants to submit certain fingerprints and certain fees to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services under certain circumstances; requiring the Central Repository to forward to certain commissions and certain applicants certain criminal history record information; providing that certain information is confidential, may not be disseminated, and may be used only for certain purposes; authorizing certain individuals to contest the contents of certain statements issued by the Central Repository under certain circumstances; and generally relating to police and correctional training commissions.

BY renumbering

Article – Correctional Services

Section 8–209.1

to be Section 8–209.2

Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, ~~with~~ without amendments,

Article – Correctional Services

Section 8–209

Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)

BY adding to

Article – Correctional Services

Section 8–209.1

Annotated Code of Maryland

(2008 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–209

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY adding to

Article – Public Safety

Section 3–209.1

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1279 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Justice Information Advisory Board – Members

FOR the purpose of altering the membership of the Criminal Justice Information Advisory Board; and generally relating to the Criminal Justice Information Advisory Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–208
Annotated Code of Maryland
(2008 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1288 – Delegates Morhaim and Lam

AN ACT concerning

Alcoholic Beverages – Sale of Powdered Alcohol – Prohibition

FOR the purpose of prohibiting a person from selling or offering to sell alcoholic beverages that are sold in a powder or crystalline form for direct use or use in combination with water or any other substance; providing a certain penalty; providing for the termination of this Act; and generally relating to a prohibition on the sale of powdered alcohol.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(1) and (2)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 16–505.3
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1289 – Delegate Dumais

AN ACT concerning

Maryland Uniform Interstate Family Support Act – Revision

FOR the purpose of revising the Maryland Uniform Interstate Family Support Act; establishing that the Child Support Enforcement Administration is the support enforcement agency of the State; extending the application of certain provisions of the Maryland Uniform Interstate Family Support Act to include parties, pleadings, proceedings, and support orders of a foreign country; authorizing a tribunal of this State to exercise jurisdiction over a guardian or conservator under certain circumstances; altering a certain provision governing when a tribunal of this State may act as an initiating or a responding tribunal; altering the circumstances under which a tribunal of this State may exercise jurisdiction to establish a support order; authorizing a tribunal of this State to communicate with a tribunal outside this State by electronic mail; requiring a support enforcement agency to provide certain services to certain plaintiffs and authorizing a support enforcement agency to provide services to certain other plaintiffs; authorizing a tribunal of this State to serve as a responding tribunal in a parentage proceeding under certain circumstances; altering certain provisions governing when a tribunal of this State may modify a child support order issued in another state; providing that a tribunal of this State retains jurisdiction to modify a support order issued by a tribunal of this State under certain circumstances; establishing that the Child Support Enforcement Administration is the recognized agency designated by the United States central authority to perform certain functions under the Convention on International Recovery of Child Support and Other Forms of Family Maintenance; requiring the Child Support Enforcement Administration to perform certain functions under the Convention; establishing that certain support proceedings are available to certain parties under the Convention; prohibiting the requirement of a security, bond, or deposit to guarantee the payment of certain costs and expenses under the Convention; establishing that a party may make certain direct requests regarding certain support orders or the parentage of a child in the State under the Convention; establishing the application of State law in certain proceedings; requiring prompt notice of certain decisions to the parties to certain actions; establishing that certain foreign parties are entitled to free legal assistance under certain circumstances; providing that certain plaintiffs are not entitled to assistance from the Child Support Enforcement Administration; requiring a party seeking recognition and enforcement of a Convention support order or foreign support agreement to register the order or agreement in this State; requiring that a party seeking recognition and enforcement of a Convention support order or foreign support agreement provide certain records, documentation, and information to a tribunal of this State; authorizing a tribunal of this State to vacate the registration of a Convention support order under certain circumstances; establishing certain procedural rules and requirements for a contest of certain orders and agreements; requiring enforcement or partial enforcement of a Convention support order or foreign support agreement except under certain circumstances; establishing the grounds on which a tribunal of this State may refuse to recognize a Convention support order or foreign support agreement; requiring suspension of a proceeding to recognize and enforce a foreign support agreement under certain circumstances; prohibiting the modification of a Convention support order when a certain party remains a resident of the foreign country that issued the order except under certain circumstances; restricting how personal information gathered or transmitted under the Act may be used; requiring that a record filed

under the Act be in its original language and contain an English translation if not in English; providing for the application of certain provisions of law under certain circumstances; making certain stylistic, technical, and conforming changes; defining certain terms; altering certain definitions; and generally relating to the Maryland Uniform Interstate Family Support Act.

BY renumbering

Article – Family Law

Section 10–355 through 10–359, respectively

to be Section 10–367 through 10–371, respectively

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10–301, 10–302, 10–303(a), 10–304, 10–306, 10–307, 10–308(a) and (c), 10–309(a), 10–310(a) through (c), 10–311, 10–312, 10–312.1, 10–312.2(b), 10–313(b), 10–316(b), ~~10–317(b)(1)~~ 10–317(a) and (b)(1) and (8), 10–318, 10–319(a) and (b)(1), 10–320(b), ~~10–322(b)(2)~~ 10–322(b)(1) and (3), 10–323(a), 10–325(b), 10–328(a), (b), ~~and (d) through (f)~~, (d), (e), (f), and (h), 10–329, 10–330, 10–331(a); 10–332(a) to be under the amended part “Part IV. Establishment of Support Order or Determination of Parentage”; 10–335 through 10–337 to be under the amended part “Part V. Enforcement of Support Order Without Registration”; 10–339(a), 10–340, 10–341(a) and (b), 10–342, 10–343, 10–344(a), (b)(2), (c)(1), and (d), 10–345(a) and (b), 10–346, 10–347; 10–348 to be under the amended subpart “Subpart C. Registration and Modification of Child Support Order of Another State”; 10–349, 10–350(a) and (c); and 10–353.1 to be under the new subpart “Subpart D. Registration and Modification of Foreign Child Support Order”

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY adding to

Article – Family Law

Section 10–303.1, 10–332.1, 10–350(f), 10–353.2, and 10–354 through 10–366 to be under the amended part “Part VII. Support Proceeding Under Convention”

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing

Article – Family Law

Section 10–354

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #42**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 723 – Senator Conway

AN ACT concerning

Nurse Practitioner Full Practice Authority Act of 2015

SB0723/794439/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 723

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Certified Nurse Practitioners – Authority to Practice”; strike beginning with “repealing” in line 7 down through “plan” in line 11 and substitute “requiring certain applicants for initial certification as a nurse practitioner to identify, on a certain application, a certified nurse practitioner or a licensed physician to act as a mentor for a certain time period; altering the definition of “practice as a nurse practitioner” to include consulting and collaborating with a certain physician or any other health care provider as needed; defining a certain term; requiring the State Board of Nursing to adopt certain regulations”; after line 11, insert:

“BY adding to

Article – Health Occupations

Section 8–101(j)

Annotated Code of Maryland

(2014 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–101(j) through (n) and 8–302(b)

Annotated Code of Maryland

(2014 Replacement Volume)”;

and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“8–101.

(J) “MENTOR” MEANS A CERTIFIED NURSE PRACTITIONER OR A LICENSED PHYSICIAN:

(1) WHO HAS 3 OR MORE YEARS OF CLINICAL PRACTICE EXPERIENCE;
AND

(2) WITH WHOM AN INDIVIDUAL APPLYING FOR CERTIFICATION AS A CERTIFIED NURSE PRACTITIONER WILL CONSULT AND COLLABORATE WITH AS NEEDED IN ACCORDANCE WITH § 8–302(B)(5)(I) OF THIS TITLE.

[(j)] (K) “Nurse practitioner” means an individual who:

(1) Is licensed by the Board to practice registered nursing; and

(2) Is certified by the Board to practice as a nurse practitioner.

[(k)] (L) “Practice as a nurse practitioner” means to independently:

(1) Perform an act under subsection [(m)](N) of this section;

(2) Conduct a comprehensive physical assessment of an individual;

(3) Establish a medical diagnosis for common chronic stable or short-term health problems;

(4) Order, perform, and interpret laboratory tests;

(5) Prescribe drugs as provided under § 8–508 of this title;

(6) Perform diagnostic, therapeutic, or corrective measures;

(7) [Refer] CONSULT AND COLLABORATE WITH, OR REFER an individual to, an appropriate licensed physician or ANY other health care provider AS NEEDED; and

(8) Provide emergency care.

[(1)] (M) “Practice licensed practical nursing” means to perform in a team relationship an act that requires specialized knowledge, judgment, and skill based on principles of biological, physiological, behavioral, or sociological science to:

(1) Administer treatment or medication to an individual;

(2) Aid in the rehabilitation of an individual;

(3) Promote preventive measures in community health;

(4) Give counsel to an individual;

(5) Safeguard life and health;

(6) Teach or supervise; or

(7) Perform any additional acts authorized by the Board under § 8–205 of this title.

[(m)] (N) (1) “Practice registered nursing” means the performance of acts requiring substantial specialized knowledge, judgment, and skill based on the biological, physiological, behavioral, or sociological sciences as the basis for assessment, nursing diagnosis, planning, implementation, and evaluation of the practice of nursing in order to:

(i) Maintain health;

(ii) Prevent illness; or

(iii) Care for or rehabilitate the ill, injured, or infirm.

(2) For these purposes, “practice registered nursing” includes:

(i) Administration;

- (ii) Teaching;
- (iii) Counseling;
- (iv) Supervision, delegation and evaluation of nursing practice;
- (v) Execution of therapeutic regimen, including the administration of medication and treatment;
- (vi) Independent nursing functions and delegated medical functions;
and
- (vii) Performance of additional acts authorized by the Board under § 8-205 of this title.

[(n)] (O) “Registered nurse” means, unless the context requires otherwise, an individual who is licensed by the Board to practice registered nursing.”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 9 through 20, inclusive, and substitute:

(5) (I) AN APPLICANT FOR INITIAL CERTIFICATION AS A NURSE PRACTITIONER WHO HAS NOT BEEN CERTIFIED BY THE BOARD OR ANY OTHER BOARD OF NURSING SHALL IDENTIFY ON THE APPLICATION FOR CERTIFICATION A MENTOR WHO WILL CONSULT AND COLLABORATE WITH THE APPLICANT FOR 18 MONTHS BEGINNING ON THE DATE THE APPLICATION FOR CERTIFICATION IS RECEIVED BY THE BOARD.

(II) A CERTIFIED NURSE PRACTITIONER SHALL PRACTICE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE OF THE AMERICAN ASSOCIATION OF NURSE PRACTITIONERS OR ANY OTHER NATIONAL CERTIFYING BODY RECOGNIZED BY THE BOARD.”.

AMENDMENT NO. 4

On pages 4 and 5, strike in their entirety the lines beginning with line 29 on page 4 through line 3 on page 5, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Nursing shall adopt the regulations necessary to carry out the provisions of §§ 8–101(d)(7) and 8–302(b)(5)(i) of the Health Occupations Article, as enacted by Section 1 of this Act.”

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 894 – Senators Pugh, Conway, McFadden, and Nathan–Pulliam

AN ACT concerning

**Procurement Preferences – Blind Industries and Services of Maryland –
Janitorial Products**

SB0894/744733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 894

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Blind” in line 2 down through “Products” in line 3 and substitute “Pricing and Selection Committees”; strike beginning with “requirement” in line 4 down through “circumstances;” in line 7 and substitute “Pricing Committee for Blind Industries and Services of Maryland and merging the functions of the Committee with the Pricing and Selection Committee for the Employment Works Program; altering the membership and duties of a certain pricing and selection committee; requiring the Governor’s Office of Minority Affairs and the Department of General Services to report to certain committees of the General Assembly on or before certain dates; providing for the termination of certain provisions of this Act;”; strike line 8 in its entirety and substitute “preferences and pricing and selection committees.”; in line 9, strike “with” and substitute “without”; and after line 13, insert:

“BY repealing

Article – State Finance and Procurement
Section 14–104 and 14–105
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–106 and 14–107
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 2, in lines 22 and 25, in each instance, strike the bracket; and after line 25, insert:

“[14–104.

(a) In this section, “Committee” means the Pricing Committee for Blind Industries and Services of Maryland.

(b) There is a Pricing Committee for Blind Industries and Services of Maryland.

(c) The Committee consists of the following 4 members or their respective designees:

(1) the Secretary of General Services;

(2) the Secretary of Public Safety and Correctional Services;

(3) the President of Blind Industries and Services of Maryland; and

(4) a member of the Executive Board of the National Federation of the Blind of Maryland appointed by that Executive Board.

(d) A member of the Committee:

(1) may not receive compensation; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(e) The Committee shall receive assistance from the staff of Blind Industries and Services of Maryland.

(f) (1) The Committee shall set the prices of supplies and services that Blind Industries and Services of Maryland provides.

(2) The prices shall reflect the fair market prices for the supplies and services.]

[14–105.

Every 6 months, Blind Industries and Services of Maryland shall:

(1) revise the list of supplies and services that it provides; and

(2) send the list to the Secretary of General Services and each person responsible for buying supplies or services for the State or a State aided or controlled entity.]

14–106.

(a) In this section, “Committee” means the Pricing and Selection Committee for **BLIND INDUSTRIES AND SERVICES OF MARYLAND AND** the Employment Works Program.

(b) There is a Pricing and Selection Committee for **BLIND INDUSTRIES AND SERVICES OF MARYLAND AND** the Employment Works Program.

(c) The Committee consists of the following **[6] 5** members:

(1) the Secretary of Transportation or a designee;

(2) the Secretary of General Services or a designee;

(3) the Secretary of Public Safety and Correctional Services or a designee;

[(4) the President of Blind Industries and Services of Maryland or a designee.]

[(5)(4) the Assistant Secretary for Vocational Rehabilitation within the State Department of Education or a designee; and

[(6)(5) the Secretary of Labor, Licensing, and Regulation or a designee.

(d) A member of the Committee:

(1) may not receive compensation; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations as provided in the State budget.

(e) The Committee shall:

(1) ENSURE THAT SUPPLIES AND SERVICES PROVIDED BY BLIND INDUSTRIES AND SERVICES OF MARYLAND OR A COMMUNITY SERVICE PROVIDER CREATE WORK OPPORTUNITIES FOR INDIVIDUALS WHO HAVE A MENTAL OR PHYSICAL DISABILITY, INCLUDING BLINDNESS, FOR WHICH BLIND INDUSTRIES AND SERVICES OF MARYLAND OR THE COMMUNITY SERVICE PROVIDER WAS ESTABLISHED TO ASSIST;

(2) SET THE PRICES OF SUPPLIES AND SERVICES THAT BLIND INDUSTRIES AND SERVICES OF MARYLAND PROVIDES TO REFLECT THE FAIR MARKET PRICES FOR THE SUPPLIES AND SERVICES;

[(1)(3) establish procedures to govern procurement of supplies and services from community service providers and individual with disability owned businesses;

[(2)(4) from the State procurement list, choose appropriate supplies and services for community service providers and individual with disability owned businesses to offer for procurement;

[(3)(5) provide that the State procure those supplies and services from a community service provider or an individual with disability owned business;

[(4)](6) if supplies or services are not available for procurement from a unit of the State government, determine whether supplies or services are available from a community service provider or an individual with disability owned business;

[(5)](7) determine the fair market price of supplies and services that community service providers and individual with disability owned businesses provide;

[(6)](8) in accordance with market conditions, adjust prices for the supplies and services that community service providers and individual with disability owned businesses provide; and

[(7)](9) at the request of a community service provider or an individual with disability owned business, review and, if appropriate, change the price of a supply or service.

(f) In addition to the duties specified under subsection (e) of this section, the Committee shall:

(1) establish and periodically review eligibility policies or guidelines for participating community service providers and individual with disability owned businesses;

(2) maintain a current list of community service providers and individual with disability owned businesses;

(3) periodically review and revise its list of community service providers and individual with disability owned businesses; and

(4) send any revised list to the Secretary of General Services who shall make the list available to each person responsible for buying supplies or services for the State or a State aided or controlled entity.

14–107.

The Pricing and Selection Committee for **BLIND INDUSTRIES AND SERVICES OF MARYLAND** AND the Employment Works Program shall:

(1) (I) MAINTAIN A CURRENT LIST OF SUPPLIES AND SERVICES THAT BLIND INDUSTRIES AND SERVICES OF MARYLAND PROVIDES; AND

(II) maintain a current list of supplies and services that community service providers and individual with disability owned businesses provide;

(2) periodically review and revise [its list] THE LISTS of supplies and services [that community service providers and individual with disability owned businesses provide] MAINTAINED IN ACCORDANCE WITH ITEM (1) OF THIS SECTION; and

(3) send the [list] LISTS, and any revised [list] LISTS, to the Secretary of General Services who shall make the [list] LISTS available to each person responsible for buying supplies or services for the State or a State aided or controlled entity.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1 of each year, the Governor's Office of Minority Affairs and the Department of General Services shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on the impact of § 14-103(c) of the State Finance and Procurement Article on the procurement by prime contractors of janitorial products from minority business enterprises.”;

in line 26, strike “2.” and substitute “3.”; in line 27, strike “October” and substitute “July”; and in the same line, after “2015.” insert “Section 2 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2018, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #43**

CONSENT CALENDAR #59

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 223 (Emerg)	FAV	Del. Hammen	Pilots – Recreational Vessels – Employment Requirement
HB 284	FAV	Del. Flanagan	Elec Law – Loc Petitions – Advance Determination of Sufficiency of Loc Law or Chrtr Amdt Summary
HB 340	FAV	Del. Haynes	General Provisions – Commemorative Days – Thurgood Marshall Day
HB 746	FAV	Del. Barve	General Provisions – Commemorative Days – South Asian American Heritage Day
HB 878	FAV	Del. Vaughn	Certified Public Accountants – Definitions – Attest and Practice Certified Public Accountancy
HB 884	FAV	Del. Lisanti	Election Law – Counting of Properly Cast Ballots
HB 1028	FAV	Del. Branch	Bsns Occups and Professions – Real Este Sprsns and Brkrs – Formatn of Bsns Entities and Pymt of Comms
HB 1056	FAV	Del. Vaughn	Real Estate Brokers and Salespersons – Continuing Education – Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #44**

CONSENT CALENDAR #60

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 1	FAV	Del. Glenn	Hghr Ed – Workforce Shtg Stdt Asstnce Grants for Cld Care Prvdrs – Hattie N. Harrison Mem Schlp
HB 37 (Emerg)	FAV	Frederick County Delegation	Frederick Center for Research and Education in Science and Technology
HB 179	FAV	Del. Barron	St Bd of Physical Thrpy Exmrs – Failure to Pass Licnsr Exam – Prohib on Issnce of License
HB 181 (Emerg)	FAV	Del. Hill	St Bd of Phrmcy – Sterile Compounding – Compliance by Nonresident Pharmacies and Rpl of Prmt Reqmt
HB 228	FAV	Del. Anderson	Public Health – Expedited Partner Therapy Program – Repeal of Termination Date
HB 297	FAV	Del. M. Washington	Higher Education – Unaccompanied Homeless Youth Tuition Exemption – Modification
HB 574	FAV	Del. B. Robinson	St Bd of Physens – Physicians, Physcn Assistants, and Allied Hlth Practitioners – Licnsr Reqmts

HB 591	FAV	Del. Miele	Health Occupations – Pharmacists – Refills of Prescriptions During State of Emergency
HB 657	FAV	Del. Krebs	Pharmacists – Scope of Practice – Administration of Drugs
HB 748	FAV	Del. Saab	Health Occupations – Board of Pharmacy – Pharmacist Rehabilitation Committee – Definition
HB 945	FAV	Del. Pena–Melnyk	Registered Nurses – Loc Hlth Depts – Reqmts for Personally Preparing and Dispensing Drugs and Dvcs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #45

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 10 – ~~Delegate Jones~~ Delegates Jones and McIntosh

AN ACT concerning

Institutions of Higher Education – Fully Online Distance Education – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 197 – ~~Delegates Fennell, Angel, Atterbeary, D. Barnes, Barron, Campos, Ebersole, Glenn, Holmes, Jackson, Jalisi, Knotts, Korman, Krimm, McCray, Morales, Patterson, Proctor, B. Robinson, Sample–Hughes, Smith, Sydnor, Tarlau, Valentino–Smith, Vaughn, A. Washington, and P. Young~~ P. Young, and Metzgar

AN ACT concerning

Prince George's County – Education – Youth Wellness Leadership Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 672 – Delegates Jones, Patterson, D. Barnes, Branch, Carter, Conway, Davis, Ebersole, Fennell, Hixson, C. Howard, Jackson, Jameson, Kaiser, Rey, B. Robinson, and Turner

AN ACT concerning

Maryland College Education Export Act of 2015

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 729 – Delegates Angel, Barron, Frush, Gaines, Haynes, Jalisi, Kelly, McComas, B. Robinson, Smith, and B. Wilson

AN ACT concerning

State Board of Morticians and Funeral Directors – Cease and Desist Orders and Injunctive Relief – Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #46

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 88 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Refillable Wine Containers
MC 19–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 89 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Class BD–BWL License
MC 18–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 91 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages Licenses – Laytonsville
MC 12–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 92 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Wine Auction Permits
MC 9–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 93 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – 1–Day License for Schools, Places
of Worship, and Youth Centers
MC 10–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 95 – Montgomery County Delegation

AN ACT concerning

**City of Gaithersburg – Licensed Alcoholic Beverages Restaurants – Distance
from Churches or Other Places of Worship
MC 23–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 137 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – License Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 139 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Sunday Sales

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 145 – Howard County Delegation

AN ACT concerning

**Howard County – Appointed Alcoholic Beverage Hearing Board – Compensation
Ho. Co. 6–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 202 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Wineries
MC 21–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 316 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Licenses in Takoma Park
MC 29–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #47**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 328 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Applications for Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 329 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Inspectors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 399 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Class DBR License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 424 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Special Event – Education Permits
Ho. Co. 05–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 527 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Residency Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 589 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Certification for License Application

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 617 – Prince George’s County Delegation

SECOND PRINTING

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Licenses, ~~Commissioners, and~~
Salaries, Inspectors, and Bottle Clubs
PG 307–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 705 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Penalties
PG 304–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 756 – Delegates Arentz, Ghrist, and Jacobs

AN ACT concerning

~~**Alcoholic Beverages – Queen Anne’s County – Refillable Container Permit**~~
Alcoholic Beverages – Charles County and Queen Anne’s County

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 845 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Class B Cafe Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 931 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – Prince George’s County – Seven Day Sales
PG 318–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #32

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 12 – ~~Delegate Cluster~~ Baltimore County Delegation

AN ACT concerning

Workers’ Compensation – Baltimore County Deputy Sheriff

HB0012/877673/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 12

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “County” insert “when performing certain duties”.

AMENDMENT NO. 2

On page 3, in line 9, after “SHERIFF” insert “, BUT ONLY WHEN THE DEPUTY SHERIFF SUSTAINS AN ACCIDENTAL PERSONAL INJURY THAT ARISES OUT OF AND IN THE COURSE AND SCOPE OF PERFORMING DUTIES DIRECTLY RELATED TO:

- (I) COURTHOUSE SECURITY;
- (II) PRISONER TRANSPORTATION;
- (III) SERVICE OF WARRANTS;
- (IV) PERSONNEL MANAGEMENT; OR
- (V) OTHER ADMINISTRATIVE DUTIES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 466 – Delegates Folden, Adams, Afzali, Anderton, Angel, Arentz, Atterbeary, B. Barnes, Buckel, Campos, Carozza, Cassilly, Cluster, Dumais, Ebersole, Ghrist, Glass, Grammer, Hornberger, S. Howard, Impallaria, Jackson, Jacobs, Jalisi, Kelly, Kipke, Kittleman, Knotts, Kramer, Krebs, Krimm, Lisanti, Long, Mautz, McComas, McConkey, McCray, McDonough, McKay, McMillan, Metzgar, Miele, W. Miller, Moon, Morales, Morgan, Otto, Reilly, Rey, Saab, Shoemaker, Simonaire, Smith, Sophocleus, Sydnor, Szeliga, Valderrama, Valentino-Smith, Vallario, Vitale, Vogt, West, B. Wilson, C. Wilson, K. Young, P. Young, and Ciliberti

AN ACT concerning

~~State Highway Administration Transportation – Dedication of Structures – Gold Star Families~~
(Hero’s Highway Act)

HB0466/447974/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 466

(Third Reading File Bill)

On page 1, in line 8, strike “Administration” and substitute “Department”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 745 – Delegates Bromwell, Barron, Morales, Morhaim, Reznik, ~~and Valentino-Smith~~ Valentino-Smith, Hammen, Hayes, McMillan, Oaks, Pena-Melnyk, Miele, Saab, Kelly, McDonough, Morgan, Kipke, Cullison, Sample-Hughes, West, Rose, Hill, Krebs, and K. Young

AN ACT concerning

Public Health – Overdose Response Program

HB0745/517174/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 745

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “circumstances;” insert “providing for a certain exception to certain training requirements;”.

AMENDMENT NO. 2

On page 5, in line 18, after “(C)” insert “**(1)**”; and after line 22, insert:

“(2) A PATIENT WHO RECEIVES A NALOXONE PRESCRIPTION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS NOT SUBJECT TO THE TRAINING REQUIREMENTS UNDER § 13-3104(D) OF THIS SUBTITLE.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 838 – Delegates Hill, Atterbeary, Barkley, Barron, Carter, Davis, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Gaines, Lam, Lisanti, Luedtke, Morales, Oaks, and B. Robinson

AN ACT concerning

Health Insurance – ~~Mandated Benefits – In Vitro Fertilization and Artificial Insemination Procedures~~ Coverage for Infertility Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 844 – Delegates Branch, Barron, Brooks, Carter, C. Howard, Jones, Kipke, McCray, Morales, Morhaim, Oaks, Pena–Melnik, B. Robinson, Rosenberg, Vaughn, M. Washington, and C. Wilson

AN ACT concerning

Maryland Small Business Development Financing Authority – Small Business Surety Bond Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 862 – Delegates Moon, Cullison, Barkley, Carr, Fraser–Hidalgo, Gutierrez, Kaiser, Kelly, Korman, Lam, Luedtke, McIntosh, Morales, Platt, Reznik, S. Robinson, Rosenberg, Smith, Tarlau, M. Washington, and Zucker

AN ACT concerning

Vital Records – New Certificates of Birth – Sex Change or Diagnosis of an Intersex Condition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 887 – Delegates K. Young, Hill, Jalisi, Kelly, Morhaim, Oaks, ~~Pena-Melnyk, and Reznik~~ Reznik, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Kipke, McDonough, McMillan, Miele, Morgan, Pendergrass, Rose, Saab, Sample-Hughes, and West

AN ACT concerning

Health Insurance – Abuse-Deterrent Opioid Analgesic Drug Products – Coverage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 896 – ~~Delegate Bromwell~~ Delegates Bromwell, Hammen, Hayes, McMillan, Oaks, Pena-Melnyk, Miele, Saab, Kelly, McDonough, Morgan, Morhaim, Angel, Kipke, Cullison, Sample-Hughes, Barron, Reznik, West, Rose, Hill, and K. Young

AN ACT concerning

**~~Maryland Opioid Use Disorder Consortium~~
Joint Committee on Behavioral Health and Opioid Use Disorders**

HB0896/347377/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 896

(Third Reading File Bill)

On page 8, in line 5, strike “**EVALUATE**” and substitute “**MONITOR**”; strike beginning with the first “**THE**” in line 8 down through “**(IV)**” in line 12; strike beginning with “**DEVELOPED**” in line 12 down through “**UNIT**” in line 15; in lines 16, 17, 22, 24, and 30, strike “**(V)**”, “**(VI)**”, “**(VIII)**”, “**(IX)**”, and “**(XI)**”, respectively, and substitute “**(III)**”, “**(IV)**”, “**(V)**”, “**(VI)**”, and “**(VII)**”, respectively; strike in their entirety lines 19 through 21, inclusive;

in line 24, strike “LAWS ESTABLISHING”; in line 25, after “TEAMS;” insert “AND”; and strike in their entirety lines 26 through 29, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 926 – Delegates Sydnor, Brooks, Carter, Hayes, Haynes, ~~Hettleman, Jelis,~~ McCray, Morales, B. Robinson, A. Washington, M. Washington, and ~~P. Young~~ Baltimore County Delegation

AN ACT concerning

Baltimore City and Baltimore County – Police ~~Mental~~ Mental Behavioral Health Units – Pilot Program

Senator Jennings moved, duly seconded, to make the Bill and Report a Special Order for April 9, 2015.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1226 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Apprenticeship and Training – Replacement of Obsolete References

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1227 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Real Estate Appraisers – Licensing and Certification – Examination Waiver Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1241 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Transportation Authority – Payment of Tolls and Related Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1244 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Education and Workforce Training Coordinating Council for Correctional Institutions – Name Change

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #33

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 703 – Senator Middleton

AN ACT concerning

Health Insurance – Medical Stop–Loss Insurance – Small Employers

SB0703/647775/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 703

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “a certain exception” and substitute “certain exceptions”; strike beginning with “requiring” in line 9 down through “Commissioner;” in line 11 and substitute “requiring the Maryland Insurance Administration to conduct a study of the use of medical stop-loss insurance in self-funded employer health plans; requiring the Administration to solicit information from stakeholders, including certain persons, and hold certain hearings; requiring the study to include certain matters; requiring the Administration to submit certain reports to the Governor and certain legislative committees on or before certain dates;”; in line 12, after “Act;” insert “providing for the termination of this Act;”; and in the same line, strike “a certain conforming change” and substitute “certain conforming changes”.

AMENDMENT NO. 2

On page 2, in line 28, strike “**PARAGRAPH (2)**” and substitute “**PARAGRAPHS (2) AND (3)**”; in line 30, after “policy” insert “**OR CONTRACT**”; in line 31, strike “\$40,000” and substitute “**\$22,500**”; and in line 32, strike “125%” and substitute “**120%**”.

AMENDMENT NO. 3

On page 3, in line 3, strike “**JANUARY**” and substitute “**JUNE**”; in line 8, strike “**OR**”; and in line 10, after “**PARAGRAPH**” insert “**;****OR**

(III) A POLICY OR CONTRACT OF MEDICAL STOP-LOSS INSURANCE ISSUED OR DELIVERED ON OR AFTER JUNE 1, 2015, IF THE POLICY OR CONTRACT:

1. IS ISSUED OR DELIVERED TO AN EMPLOYER THAT ON MAY 31, 2015, HELD A POLICY OR CONTRACT OF MEDICAL STOP-LOSS INSURANCE WITH:

A. A SPECIFIC ATTACHMENT POINT OF NOT LESS THAN \$10,000; AND

B. AN AGGREGATE ATTACHMENT POINT OF NOT LESS THAN 115% OF EXPECTED CLAIMS; AND

2. MAINTAINS:

A. A SPECIFIC ATTACHMENT POINT OF NOT LESS THAN \$10,000; AND

B. AN AGGREGATE ATTACHMENT POINT OF NOT LESS THAN 115% OF EXPECTED CLAIMS”.

AMENDMENT NO. 4

On page 3, after line 10, insert:

“(3) A POLICY OR CONTRACT OF MEDICAL STOP-LOSS INSURANCE ISSUED OR DELIVERED TO A COUNTY OR A MUNICIPALITY THROUGH THE MARYLAND LOCAL GOVERNMENT HEALTH COOPERATIVE SHALL HAVE AN AGGREGATE ATTACHMENT POINT OF:

(I) BEFORE JULY 1, 2017, NOT LESS THAN 115% OF EXPECTED CLAIMS; AND

(II) BEGINNING JULY 1, 2017, NOT LESS THAN 120% OF EXPECTED CLAIMS.”.

AMENDMENT NO. 5

On page 3, strike in their entirety lines 13 through 15, inclusive, and substitute:

“(1) (I) IMPOSE HIGHER COST SHARING FOR A SPECIFIC INDIVIDUAL WITHIN A SMALL EMPLOYER’S HEALTH BENEFIT PLAN THAN IS REQUIRED FOR OTHER INDIVIDUALS WITHIN THE SMALL EMPLOYER’S HEALTH BENEFIT PLAN; OR

(II) DECREASE OR REMOVE STOP-LOSS COVERAGE FOR A SPECIFIC INDIVIDUAL WITHIN A SMALL EMPLOYER’S HEALTH BENEFIT PLAN; OR”;

and in line 19, strike “MENTAL ILLNESS” and substitute “BEHAVIORAL HEALTH, INCLUDING MENTAL ILLNESS OR SUBSTANCE USE DISORDER”.

AMENDMENT NO. 6

On page 4, in line 6, after “IN” insert “:

(I)”;

after line 8, insert:

“(II) THE OWNERSHIP AND CONTROL OF THE SMALL EMPLOYER;
OR

(III) THE NUMBER OF COVERED LIVES BY A SIGNIFICANT PERCENTAGE RESULTING FROM AN EVENT SUCH AS AN ACQUISITION OR A DIVESTITURE;”;

and strike beginning with “ON” in line 27 down through “(I)” in line 32.

AMENDMENT NO. 7

On page 5, after line 5, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Insurance Administration shall conduct a study of the use of medical stop-loss insurance in self-funded employer health plans.

(b) As part of the study, the Administration shall:

(1) solicit information from stakeholders; and

(2) hold informational hearings, as appropriate.

(c) The stakeholders from whom the Administration shall solicit information shall include:

(1) carriers offering fully insured health plans in the State;

- (2) carriers offering medical stop-loss insurance in the State;
 - (3) employers utilizing fully insured health plans;
 - (4) employers utilizing self-funded health plans in conjunction with medical stop-loss insurance;
 - (5) insurance producers;
 - (6) third party administrators;
 - (7) consumers;
 - (8) the Office of the Attorney General;
 - (9) Maryland counties and municipalities; and
 - (10) the Maryland Bankers Association.
- (d) The study shall include:
- (1) an analysis of baseline data, including sample data, where appropriate,
on:
 - (i) the types and costs of health benefit plans, including self-insured plans, offered in the State by employers with 2 to 50 employees and employers with 51 to 100 employees;
 - (ii) for self-insured plans, the individual and aggregate attachment points of medical stop-loss insurance purchased; and
 - (iii) the number of plan designs and carriers available in the small employer market, including market share by carrier, and the number of plan designs and carriers available in the market for health benefit plans utilizing medical stop-loss insurance, including market share by medical stop-loss carrier;
 - (2) an overview of the employer health plan market in contiguous states, including the percentage of fully insured employer health plans and self-insured employer health plans utilizing medical stop-loss insurance;

(3) an estimate of the number of employers with 51 to 100 employees whose health benefits plans would change from the large group to the small group market in 2016, as a result of the change in the size of the small group market required by the federal Affordable Care Act;

(4) an analysis of statutory and regulatory requirements for medical stop-loss insurance in other states and the experience of states the requirements of which are different from those in Maryland;

(5) a review of any guidance, recommendations, or model legislation regarding medical stop-loss insurance by the National Association of Insurance Commissioners or other groups;

(6) identification of any incentives and disincentives beginning in 2016, associated with the purchase of health insurance in the small group market compared to self-insurance with the purchase of medical stop-loss insurance, for both employers with 2 to 50 employees and employers with 51 to 100 employees;

(7) a comparison of the risk profile of small employers that self-insure and the risk profile of small employers that purchase health insurance in the small group market;

(8) an assessment of the impact on the stability and viability of the small group market, including the possibility of adverse selection and higher premiums, resulting from employers:

(i) choosing to self-insure instead of purchasing health insurance in the small group market; and

(ii) after self-insuring, switching to the small group market;

(9) an assessment of any impact on the Maryland Health Benefit Exchange of small employers choosing to drop coverage for their employees;

(10) an assessment of different attachment points for medical stop-loss insurance, the effect that medical inflation could have on the attachment points in statute, and the desirability of maintaining or adjusting the current statutory levels;

(11) an assessment of the consumer protections in medical stop-loss insurance policies and contracts and the desirability of maintaining or adjusting the current statutory consumer protections; and

(12) an assessment of the impact on local governments and small employers of any changes to the attachment points or consumer protections in medical stop-loss insurance policies and contracts.

(e) (1) On or before December 1, 2015, the Administration shall submit an interim report of its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee.

(2) On or before October 1, 2016, the Administration shall submit a final report of its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee.”;

and in lines 6 and 9, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.

AMENDMENT NO. 8

On page 5, in line 10, after “2015.” insert “It shall remain effective for a period of 3 years and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 8 amendments were read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for April 9, 2015.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 818)

ADJOURNMENT

At 12:45 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day April 2, 2015, Calendar Day, Thursday, April 9, 2015.

Annapolis, Maryland
Legislative Day: April 2, 2015
Calendar Day: Thursday, April 9, 2015
10:00 A.M. Session

The Senate met at 10:08 A.M.

Prayer by Reverend Joe Ready, Liberty Church, guest of Senator Ready.

(See Exhibit A of Appendix III)

The Journal of April 1, 2015 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 820)

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 334 **SPONSOR: Senator Madaleno**

SUBJECT: The Hunger-Free Schools Act of 2015

THIRD READING CALENDAR **HOUSE NO. 11** **SENATE NO. 19**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That Amendment No. 2 of the attached Committee on Ways and Means Amendments (SB0334/135267/1) be adopted.
- (2) That Amendment Nos. 1 and 3 of the Committee on Ways and Means Amendments (SB0334/135267/1) be rejected.
- (3) That the attached Conference Committee Amendments (SB0334/383427/1) be adopted.

SB0334/135267/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 334

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "Maryland"; in line 6, after "to" insert "submit a certain"; and in line 7, after "date," insert "requiring the Department, the Department of Budget and Management, and the Department of Legislative Services to submit a certain report to certain committees of the General Assembly on or before a certain date:".

AMENDMENT NO. 2

On page 2, strike beginning with "THROUGH" in line 9 down through "2020" in line 10 and substitute "AND 2018"; strike beginning with "UNITED" in line 29 down through "AGRICULTURE" in line 30; in line 34, strike "PROGRAM" and substitute "PROVISION"; and after line 36, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 1, 2015, the State Department of Education, the Department of Budget and Management, and the Department of Legislative Services shall report to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means, in accordance with § 2-1246 of the State Government Article, on:

(a) the research and analysis in the Adequacy of Funding for Education Study relating to using free and reduced-price meal eligibility as a proxy for representing economically disadvantaged students in the State compensatory education aid formula including:

(1) the proxies used in education formulas in other states, particularly states that participate in the Community Eligibility Provision of the federal Healthy, Hunger-Free Kids Act of 2010; and

(2) the identification and analysis of alternative indicators;

(b) the impact of the Community Eligibility Provision on the State compensatory aid program that uses free and reduced-price meal student count as a proxy for representing economically disadvantaged students in the State;

(c) trends in free and reduced-price meal student counts to compare the free and reduced-price meal student count used for school systems participating in the Community Eligibility Provision to the number of students who would be expected to qualify for free and reduced-price meals in the next 5 years based on past trends;

(d) preliminary recommendations on a new proxy or a revised free and reduced-price meal student count that could be used to represent economically disadvantaged students in the State compensatory education aid formula; and

(e) any proposed changes to the calculation under § 5-207(a)(3) of the Education Article, as enacted by Section 1 of this Act.”.

AMENDMENT NO. 3

On page 3, in lines 1 and 8, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively; and in line 2, strike “Maryland”.

SB0334/383427/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 334

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “date;” in line 7 and substitute “requiring the State Department of Education, the Department of Budget and Management, and the Department of Legislative Services to submit a certain report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 7, inclusive.

Senate Members:

House Members:

Chair, **Richard S. Madaleno, Jr.**

Chair, **Mary L. Washington**

Bill Ferguson

Kevin B. Hornberger

Adelaide C. Eckardt

Eric Ebersole

On page 2, strike beginning with “is” in line 17 down through “conviction” in line 18; in line 18, strike “fine not exceeding \$1,000 for each violation”; and in the same line, strike “OR A”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 822)

AMENDED IN THE HOUSE

Senate Bill 596 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Health Care Facilities – Surveys, Inspections, and External Reviews

Senator Middleton moved that the Senate concur in the House amendment.

SB0596/946084/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 596

(Third Reading File Bill)

On page 1, in line 13, strike “providing for the termination of this Act;”.

On page 5, strike beginning with “It” in line 14 down through “effect.” in line 16.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 823)

CONCURRENCE CALENDAR #13

AMENDED IN THE HOUSE

Senate Bill 5 – ~~Senator Getty~~ Senator Bates

AN ACT concerning

Election Law – Canvass of Votes – Public Observation

Senator Conway moved that the Senate concur in the House amendments.

SB0005/235165/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 5

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “observers” insert “and any other individuals who wish to be present”.

AMENDMENT NO. 2

On page 3, in line 13, after “SUBSECTION” insert “AND ANY OTHER INDIVIDUALS WHO WISH TO BE PRESENT”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 824)

AMENDED IN THE HOUSE

Senate Bill 204 – Senator Conway

AN ACT concerning

Election Law – Primary Election Dates in the Presidential Election Year

Senator Conway moved that the Senate concur in the House amendments.

SB0204/375567/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 204
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “changes;” insert “altering the deadline for filing a certain petition to challenge a candidate’s residency;”; and in line 13, after “5–303(c),” insert “5–305.”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“5–305.

(a) This section applies only to a petition that will affect the right of a candidate to have the candidate’s name appear on the ballot in a primary or general election.

(b) A registered voter who is a resident of the district or other geographic area in which a candidate is seeking office may file a petition with the circuit court for that district or geographic area to challenge the candidate’s residency as provided in § 5–202 of this title.

(c) (1) The petition must be filed [6] 9 days after the filing dates provided in § 5–303 of this subtitle and [§ 5–703(c)] §§ 5–703(C) AND 5–703.1(C) of this title.

(2) Judicial review of any petition that is filed under subsection (b) of this section shall be expedited by the circuit court that hears the cause to the extent necessary in consideration of the deadlines established by law, and in no case, longer than 7 days from the date the petition is filed.”;

strike beginning with “or” in line 13 down through “held” in line 14; and in line 16, strike “is” and substitute “AND MAYOR OF BALTIMORE CITY ARE”.

On page 5, in line 1, strike “PARAGRAPHS (2) AND (3)” and substitute “PARAGRAPH (2)”; in line 3, strike the brackets; in the same line, strike “2ND”; in the same line, strike “it” and substitute “THE JUDICIAL REVIEW”; in line 4, after “(2)” insert “(1)”;

in the same line, strike “EXCEPT FOR A PRESIDENTIAL PRIMARY, IF” and substitute “IF”; in line 5, after “election,” insert “EXCEPT A PRESIDENTIAL PRIMARY ELECTION,”; and strike in their entirety lines 8 through 11, inclusive, and substitute:

“(II) IF THE PETITION SEEKS TO PLACE THE NAME OF AN INDIVIDUAL ON THE BALLOT FOR A PRESIDENTIAL PRIMARY ELECTION IN ACCORDANCE WITH § 8-502 OF THIS ARTICLE, JUDICIAL REVIEW OF A DETERMINATION MADE UNDER § 6-208(A)(2) OF THIS TITLE SHALL BE SOUGHT BY THE 5TH DAY FOLLOWING THE DETERMINATION TO WHICH THE JUDICIAL REVIEW RELATES.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 825)

AMENDED IN THE HOUSE

Senate Bill 258 – Senators Pinsky, Astle, Benson, Conway, Currie, Feldman, Ferguson, Gladden, Guzzone, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Miller, Montgomery, Muse, Nathan–Pulliam, Peters, Pugh, Ramirez, Raskin, Rosapepe, Young, and Zirkin

AN ACT concerning

Maryland Commission on Climate Change

Senator Conway moved that the Senate concur in the House amendment.

SB0258/230812/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 258

(Third Reading File Bill)

On page 1, in line 6, strike “a” and substitute “an appointed”.

On page 4, in line 19, strike “IN” and substitute “, ONE OF WHOM SHALL REPRESENT”; in the same line, after “TRADES” insert “AND ONE OF WHOM SHALL REPRESENT THE MANUFACTURING INDUSTRY”; and in line 31, strike “A” and substitute “AN APPOINTED”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 35 Negative – 12 (See Roll Call No. 826)

AMENDED IN THE HOUSE

Senate Bill 339 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Baltimore City – Belvedere Square

Senator Conway moved that the Senate concur in the House amendments.

SB0339/943599/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 339

(Third Reading File Bill)

On page 2, strike beginning with “AND” in line 9 down through “BLOCK” in line 10.

The preceding amendment was read and concurred in.

SB0339/653123/1

BY: Delegate Barkley

AMENDMENT TO SENATE BILL 339

(Third Reading File Bill)

On page 2, in line 15, after “CONSUMED” insert a colon; in line 16, strike “WITHIN” and substitute “(I) WITHIN”; and in line 17, after “AVENUE” insert “; AND”

(II) WHILE CROSSING FROM THE SOUTH SIDE OF EAST BELVEDERE AVENUE TO THE NORTH SIDE OF EAST BELVEDERE AVENUE DURING A PERMITTED SPECIAL EVENT THAT RESULTS IN THE CLOSURE OF EAST BELVEDERE AVENUE".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 827)

AMENDED IN THE HOUSE

Senate Bill 340 – Senator Conway

AN ACT concerning

Election Law – Voting Rights – Ex-Felons

Senator Conway moved that the Senate concur in the House amendments.

SB0340/775663/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 340

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “vote;” insert “making a conforming change;”; and in line 15, after “3–102” insert “and 16–202”.

AMENDMENT NO. 2

On page 2, after line 26, insert:

“16–202.

(a) A person who has been convicted of a felony and is [actually] CURRENTLY serving a court–ordered sentence of imprisonment[, including any term of parole or

probation,] for the conviction, and has been rendered ineligible to vote pursuant to § 3–102(b) of this article, may not vote or attempt to vote during the time that the person is rendered ineligible to vote.

(b) A person who violates this section is guilty of a felony and is subject to imprisonment for not less than 1 year nor more than 5 years.”.

The preceding amendments were read and concurred in by roll call vote as follows:

Affirmative – 29 Negative – 18 (See Roll Call No. 828)

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 29 Negative – 18 (See Roll Call No. 829)

AMENDED IN THE HOUSE

Senate Bill 423 – Senator Rosapepe

AN ACT concerning

Alcoholic Beverages – Towne Centre at Laurel – Class A License

Senator Conway moved that the Senate concur in the House amendments.

SB0423/313998/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 423

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Laurel;” insert “prohibiting the Board of License Commissioners from issuing more than a certain number of Class B–DD (Development District) licenses under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 15, after “(O)” insert “**(1)**”; and after line 19, insert:

“(2) IF THE BOARD OF LICENSE COMMISSIONERS CONVERTS A CLASS B-DD (DEVELOPMENT DISTRICT) LICENSE TO A CLASS A BEER, WINE AND LIQUOR LICENSE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD OF LICENSE COMMISSIONERS MAY NOT ISSUE MORE THAN 5 CLASS B-DD (DEVELOPMENT DISTRICT) LICENSES UNDER SUBSECTION (F)(7)(IV) OF THIS SECTION.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 830)

AMENDED IN THE HOUSE

Senate Bill 501 – Senators Young and Hough

EMERGENCY BILL

AN ACT concerning

Frederick County – Alcoholic Beverages – Sunday Permit – Hours of Sale

Senator Conway moved that the Senate concur in the House amendment.

SB0501/893095/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 501

(Third Reading File Bill)

On page 1, in line 5, strike “off-premises” and substitute “on-premises”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 831)

AMENDED IN THE HOUSE

Senate Bill 633 – Washington County Senators

AN ACT concerning

Alcoholic Beverages – Washington County – Refillable Container Permit

Senator Conway moved that the Senate concur in the House amendments.

SB0633/403990/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 633
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “regulations;” insert “making conforming changes;”; and after line 14 insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 8–103

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“8–103.

(a) (1) This section applies with respect to draft beer in the following jurisdictions:

(i) Baltimore County;

(ii) Carroll County;

(iii) Harford County;

(iv) Howard County;

(v) Prince George's County; [and]

(vi) St. Mary's County; AND

(VII) WASHINGTON COUNTY.

(2) This section applies with respect to wine in Howard County.

(b) There is a refillable container permit.

(c) With respect to the alcoholic beverages authorized for the local jurisdiction under subsection (a) of this section, a refillable container permit entitles the permit holder to sell draft beer or wine, respectively, for consumption off the licensed premises in a refillable container that meets the standards under § 21-107 of this article.

(d) The term of a refillable container permit is the same as that of the underlying alcoholic beverages license.

(e) Except as otherwise specifically provided, the hours of sale for a refillable container permit are the same as those for the underlying alcoholic beverages license.

(f) An applicant who holds an underlying alcoholic beverages license without an off-sale privilege shall meet the same advertising, posting of notice, and public hearing requirements as those for the underlying license.

(g) A holder of a refillable container permit may refill only a refillable container that meets the standards under § 21-107 of this article.”.

On page 2, strike beginning with “**(1)**” in line 12 down through “**(1)**” in line 19; in lines 21, 22, 23, and 25, strike “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively, and substitute “**(1)**”, “**(2)**”, “**(I)**”, and “**(II)**”, respectively; and strike in their entirety lines 27 and 28.

On page 3, strike in their entirety lines 1 through 5, inclusive; in lines 6 and 14, strike “**(H)**” and “**(J)**”, respectively, and substitute “**(F)**” and “**(G)**”, respectively; and strike in their entirety lines 11 through 13, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 832)

AMENDED IN THE HOUSE

Senate Bill 767 – Senator Conway

AN ACT concerning

Ethics Law – Statement by Person Providing Lobbyist Compensation and Making Campaign Contributions

Senator Conway moved that the Senate concur in the House amendments.

SB0767/195066/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 767

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “contributions;” insert “altering the reporting periods and due dates for a certain statement;”; and in line 8, strike “correcting a cross-reference;” and substitute “making technical corrections; altering a certain definition;”.

AMENDMENT NO. 2

On page 3, in line 3, strike “(C)” and substitute “(D)”; in line 7, after the second “contribution” insert “OR DONATION”; and in line 8, after “contributions” insert “OR DONATIONS”.

On page 4, strike beginning with “January” in line 1 down through “July 31” in line 2 and substitute “APRIL 30 OR OCTOBER 31”; strike beginning with “within” in line 3 down through “period” in line 4 and substitute “ON OR BEFORE THE LAST DAY OF THE MONTH IMMEDIATELY FOLLOWING THE DAY ON WHICH THE REPORTING PERIOD ENDS”; and in line 11, after “recipient” insert “NAMED IN ITEM (1) OF THIS SUBSECTION”.

On page 6, after line 3, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding § 5–716(e) of the General Provisions Article as enacted by this Act, a person subject to § 5–716 of the General Provisions Article shall file a statement:

(1) on or before August 31, 2015, to cover a 6–month reporting period beginning on February 1, 2015, and ending on July 31, 2015; and

(2) on or before November 30, 2015, to cover a 3–month reporting period beginning on August 1, 2015, and ending on October 31, 2015.”;

in line 4, strike “2.” and substitute “3.”; and in line 5, strike “October” and substitute “June”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 833)

MESSAGE TO THE SENATE

BILL: SB 0497

SPONSOR: Sen Pinsky, et al

SUBJECT: Commission to Review Maryland’s Use of Assessments and Testing in Public Schools

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Pinsky, Chair

Senator Rosapepe

Senator Salling

The House appoints:

Delegate A. Washington, Chairman

Delegate Shoemaker, and

Delegate Ebersole.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

CONCURRENCE CALENDAR #14

AMENDED IN THE HOUSE

Senate Bill 133 – Senator Edwards

AN ACT concerning

Environment – Bay Restoration Fund – Use of Funds

Senator Conway moved that the Senate not concur in the House amendments.

SB0133/840613/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 133

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “adding” in line 6 down through “years” in line 7 and substitute “specifying that an order of priority for certain projects funded by the Bay Restoration Fund in certain fiscal years shall be determined by the Department of the Environment based on certain criteria; repealing a certain limitation on an authorization of funds in the Bay Restoration Fund to be used for grants to certain local governments for certain stormwater control measures”.

On page 2, in line 5, strike “1.”; and in lines 10, 14, 17, 20, 24, 26, 32, and 35, strike “2.”, “3.”, “A.”, “B.”, “**D.**”, “**E.**”, “(iii)”, and “(iv)”, respectively, and substitute “**(III)**”, “**(IV)**”, “**1.**”, “**2.**”, “**B.**”, “**C.**”, “**(V)**”, and “**(VI)**”, respectively.

On page 3, in lines 1, 4, 8, 11, and 12, strike “(v)”, “(vi)”, “(vii)”, “(viii)”, and “(ix)”, respectively, and substitute “**(VII)**”, “**(VIII)**”, “**(IX)**”, “**(X)**”, and “**(XI)**”, respectively.

AMENDMENT NO. 2

On page 2, in line 13, strike “AND”; in line 22, after “day;” insert “AND”

3. AS DETERMINED BY THE DEPARTMENT AND BASED ON WATER QUALITY AND PUBLIC HEALTH BENEFITS, FOR THE FOLLOWING:

A. FOR COSTS IDENTIFIED UNDER ITEM (II) OF THIS PARAGRAPH;”;

strike line 23 in its entirety; and in line 27, strike “under § 4–204 of this article”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0133
SPONSOR: Sen Edwards
SUBJECT: Environment – Bay Restoration Fund – Use of Funds

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0785
SPONSOR: Del Flanagan, et al
SUBJECT: Recreational Fishing Licenses – Duration and Expiration Date

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Stein, Chairman
Delegate Frush, and
Delegate Flanagan.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0785
SPONSOR: Del Flanagan, et al
SUBJECT: Recreational Fishing Licenses – Duration and Expiration Date

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Stein, Chair
Delegate Frush
Delegate Flanagan

The Senate appoints:
Senator Bates, Chairman
Senator Kagan
Senator Simonaire.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0156
SPONSOR: Al Co Deleg, et al
SUBJECT: Environment – Bay Restoration Fund – Use of Funds

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Frush, Chairman
Delegate Lafferty, and
Delegate Anderton.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0156
SPONSOR: Al Co Deleg, et al
SUBJECT: Environment – Bay Restoration Fund – Use of Funds

The Senate does not recede in the Senate amendments.

The Senate respectfully requests the House reconsider and concur.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 834)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #59

**Senate Bill 609 – Senators Brochin, Benson, Guzzone, Kelley, Lee, Madaleno,
Manno, McFadden, Montgomery, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**State Government – Office of the Child Welfare Ombudsman – ~~Establishment~~
Pilot Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 835)

The Bill was then sent to the House of Delegates.

Senate Bill 723 – Senator Conway

AN ACT concerning

~~**Nurse Practitioner Full Practice Authority Act of 2015**~~

Certified Nurse Practitioners – Authority to Practice

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 836)

The Bill was then sent to the House of Delegates.

Senate Bill 894 – Senators Pugh, Conway, McFadden, and Nathan–Pulliam

AN ACT concerning

**Procurement Preferences – ~~Blind Industries and Services of Maryland –~~
~~Janitorial Products~~ Pricing and Selection Committees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 837)

The Bill was then sent to the House of Delegates.

**Senate Bill 905 – ~~Senator Kasemeyer~~ Senators Kasemeyer, Madaleno, Currie,
DeGrange, Ferguson, Guzzone, King, Manno, McFadden, and Peters Peters,
and Klausmeier**

AN ACT concerning

Income Tax – Film Production Activity Tax Credit

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 838)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #20

House Bill 10 – ~~Delegate Jones~~ Delegates Jones and McIntosh

AN ACT concerning

Institutions of Higher Education – Fully Online Distance Education – Definition

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 3 (See Roll Call No. 839)

The Bill was then sent to the House of Delegates.

House Bill 12 – ~~Delegate Cluster~~ Baltimore County Delegation

AN ACT concerning

Workers' Compensation – Baltimore County Deputy Sheriff

Senator Klausmeier moved, duly seconded, to make the Bill a Special Order for April 10, 2015.

The motion was adopted.

House Bill 197 – Delegates Fennell, Angel, Atterbeary, D. Barnes, Barron, Campos, Ebersole, Glenn, Holmes, Jackson, Jalisi, Knotts, Korman, Krimm, McCray, Morales, Patterson, Proctor, B. Robinson, Sample-Hughes, Smith, Sydnor, Tarlau, Valentino-Smith, Vaughn, A. Washington, ~~and P. Young~~ P. Young, and Metzgar

AN ACT concerning

Prince George's County – Education – Youth Wellness Leadership Pilot Program

Senator Manno moved, duly seconded, to make the Bill a Special Order for April 11, 2015.

The motion was adopted.

House Bill 466 – Delegates Folden, Adams, Afzali, Anderton, Angel, Arentz, Atterbeary, B. Barnes, Buckel, Campos, Carozza, Cassilly, Cluster, Dumais, Ebersole, Ghrist, Glass, Grammer, Hornberger, S. Howard, Impallaria, Jackson, Jacobs, Jalisi, Kelly, Kipke, Kittleman, Knotts, Kramer, Krebs, Krimm, Lisanti, Long, Mautz, McComas, McConkey, McCray, McDonough, McKay, McMillan, Metzgar, Miele, W. Miller, Moon, Morales, Morgan, Otto, Reilly, Rey, Saab, Shoemaker, Simonaire, Smith, Sophocleus, Sydnor, Szeliga, Valderrama, Valentino-Smith, Vallario, Vitale, Vogt, West, B. Wilson, C. Wilson, K. Young, P. Young, and Ciliberti

AN ACT concerning

**~~State Highway Administration~~ Transportation – Dedication of Structures – ~~Gold Star Families~~
(Hero's Highway Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 840)

The Bill was then sent to the House of Delegates.

House Bill 672 – Delegates Jones, Patterson, D. Barnes, Branch, Carter, Conaway, Davis, Ebersole, Fennell, Hixson, C. Howard, Jackson, Jameson, Kaiser, Rey, B. Robinson, and Turner

AN ACT concerning

Maryland College Education Export Act of 2015

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 841)

The Bill was then sent to the House of Delegates.

House Bill 729 – Delegates Angel, Barron, Frush, Gaines, Haynes, Jalisi, Kelly, McComas, B. Robinson, Smith, and B. Wilson

AN ACT concerning

State Board of Morticians and Funeral Directors – Cease and Desist Orders and Injunctive Relief – Authority

Senator King moved, duly seconded, to make the Bill a Special Order for April 11, 2015.

The motion was adopted.

House Bill 745 – Delegates Bromwell, Barron, Morales, Morhaim, Reznik, ~~and Valentino-Smith~~ Valentino-Smith, Hammen, Hayes, McMillan, Oaks, Pena-Melnyk, Miele, Saab, Kelly, McDonough, Morgan, Kipke, Cullison, Sample-Hughes, West, Rose, Hill, Krebs, and K. Young

AN ACT concerning

Public Health – Overdose Response Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 842)

The Bill was then sent to the House of Delegates.

House Bill 838 – Delegates Hill, Atterbeary, Barkley, Barron, Carter, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Gaines, Lam, Lisanti, Luedtke, Morales, Oaks, and B. Robinson

AN ACT concerning

Health Insurance – ~~Mandated Benefits – In Vitro Fertilization and Artificial Insemination Procedures~~ Coverage for Infertility Services

FLOOR AMENDMENT

HB0838/823429/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 838

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “sex;” insert “authorizing the use of donor sperm to fertilize the oocytes of a patient whose spouse is of the opposite sex under certain circumstances;”.

AMENDMENT NO. 2

On page 3, in line 19, after “with” insert “:

(I);

and in line 20, after “sperm” insert “;**OR**

(II) DONOR SPERM IF THE PATIENT’S SPOUSE IS INCAPABLE OF PRODUCING SPERM THAT CAN RESULT IN A SUCCESSFUL PREGNANCY”.

The preceding 2 amendments were read only.

Senator Kagan moved, duly seconded, to make the Bill and Amendments a Special Order for April 10, 2015.

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #21

CONSENT CALENDAR #10

BILL NO.	SPONSOR	CONTENT	COMMITTEE
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HB 328	Harford County Delegation	Harford County – Alcoholic Beverages – Applications for Licenses	EHE
HB 329	Harford County Delegation	Harford County – Alcoholic Beverages – Inspectors	EHE
HB 399	Harford County Delegation	Harford County – Alcoholic Beverages – Class DBR License	EHE
HB 424	Howard County Delegation	Howard County – Alcoholic Beverages – Special Event – Education Permits Ho. Co. 05–15	EHE
HB 527	Harford County Delegation	Harford County – Alcoholic Beverages – Residency Requirements	EHE
HB 589	Charles County Delegation	Charles County – Alcoholic Beverages – Certification for License Application	EHE
HB 617	Prince George’s County Delegation	Prince George’s Co – Alc Bevs – Licenses, Salaries, Inspectors, and Bottle Clubs PG 307–15	EHE
HB 705	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Penalties PG 304–15	EHE
HB 756	Del. Arentz	Alcoholic Beverages – Charles County and Queen Anne’s County	EHE
HB 845	Harford County Delegation	Harford County – Alcoholic Beverages – Class B Cafe Licenses	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 10 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 843)

The Bills were then sent to the House of Delegates.

House Bill 931 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – Prince George’s County – Seven Day Sales
PG 318–15**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 1 (See Roll Call No. 844)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #22

CONSENT CALENDAR #11

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 88	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Refillable Wine Containers MC 19–15	EHE
HB 89	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Class BD–BWL License MC 18–15	EHE
HB 91	Montgomery County Delegation	Montgomery County – Alcoholic Beverages Licenses – Laytonsville MC 12–15	EHE
HB 92	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Wine Auction Permits MC 9–15	EHE
HB 93	Montgomery County Delegation	Montgomery Co – Alc Bevs – 1–Day Lic for Schools, Places of Worship, and Yth Ctrs MC 10–15	EHE

HB 95	Montgomery County Delegation	Cty of Gaithersburg – Lic'd Alc Bevs Restrs – Dstn from Churches or Other Places of Worship MC 23–15	EHE
HB 137	Charles County Delegation	Charles County – Alcoholic Beverages – License Fees	EHE
HB 139	Del. Beitzel	Garrett County – Alcoholic Beverages – Sunday Sales	EHE
HB 145	Howard County Delegation	Howard County – Appointed Alcoholic Beverage Hearing Board – Compensation Ho. Co. 6–15	EHE
HB 202	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Wineries MC 21–15	EHE
HB 316	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Licenses in Takoma Park MC 29–15	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 11 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 845)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #23

CONSENT CALENDAR #12

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 223 (Emerg)	Del. Hammen	Pilots – Recreational Vessels – Employment Requirement	EHE

HB 284	Del. Flanagan	Elec Law – Loc Petitions – Advance Determination of Sufficiency of Loc Law or Chrtr Amdt Summary	EHE
HB 340	Del. Haynes	General Provisions – Commemorative Days – Thurgood Marshall Day	EHE
HB 746	Del. Barve	General Provisions – Commemorative Days – South Asian American Heritage Day	EHE
HB 878	Del. Vaughn	Certified Public Accountants – Definitions – Attest and Practice Certified Public Accountancy	EHE
HB 884	Del. Lisanti	Election Law – Counting of Properly Cast Ballots	EHE
HB 1028	Del. Branch	Bsns Occups and Professions – Real Este Sprsns and Brkrs – Formatn of Bsns Entities and Pymt of Comms	EHE
HB 1056	Del. Vaughn	Real Estate Brokers and Salespersons – Continuing Education – Requirements	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 12 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 846)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #24

CONSENT CALENDAR #13

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 1	Del. Glenn	Hghr Ed – Workforce Shtg Stdt Asstnce Grants for Cld Care Prvdrs – Hattie N. Harrison Mem Schlp	EHE
HB 37 (Emerg)	Frederick County Delegation	Frederick Center for Research and Education in Science and Technology	EHE
HB 179	Del. Barron	St Bd of Physical Thrpy Exmrs – Failure to Pass Licnsr Exam – Prohib on Issnce of License	EHE
HB 181 (Emerg)	Del. Hill	St Bd of Phrmcy – Sterile Compounding – Compliance by Nonresident Pharmacies and Rpl of Prmt Reqmt	EHE
HB 228	Del. Anderson	Public Health – Expedited Partner Therapy Program – Repeal of Termination Date	EHE
HB 297	Del. M. Washington	Higher Education – Unaccompanied Homeless Youth Tuition Exemption – Modification	EHE
HB 574	Del. B. Robinson	St Bd of Physcns – Physicians, Physcn Assistants, and Allied Hlth Practitioners – Licnsr Reqmts	EHE
HB 591	Del. Miele	Health Occupations – Pharmacists – Refills of Prescriptions During State of Emergency	EHE
HB 657	Del. Krebs	Pharmacists – Scope of Practice – Administration of Drugs	EHE

HB 748	Del. Saab	Health Occupations – Board of Pharmacy – Pharmacist Rehabilitation Committee – Definition	EHE
HB 945	Del. Pena–Melnik	Registered Nurses – Loc Hlth Depts – Reqmts for Personally Preparing and Dispensing Drugs and Dvcs	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 13 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 847)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #25

House Bill 844 – Delegates Branch, Barron, Brooks, Carter, C. Howard, Jones, Kipke, McCray, Morales, Morhaim, Oaks, Pena–Melnik, B. Robinson, Rosenberg, Vaughn, M. Washington, and C. Wilson

AN ACT concerning

Maryland Small Business Development Financing Authority – Small Business Surety Bond Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 848)

The Bill was then sent to the House of Delegates.

House Bill 862 – Delegates Moon, Cullison, Barkley, Carr, Fraser–Hidalgo, Gutierrez, Kaiser, Kelly, Korman, Lam, Luedtke, McIntosh, Morales, Platt, Reznik, S. Robinson, Rosenberg, Smith, Tarlau, M. Washington, and Zucker

AN ACT concerning

Vital Records – New Certificates of Birth – Sex Change or Diagnosis of an Intersex Condition

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 16 (See Roll Call No. 849)

The Bill was then sent to the House of Delegates.

House Bill 887 – Delegates K. Young, Hill, Jalisi, Kelly, Morhaim, Oaks, Pena–Melnyk, ~~and Reznik~~ Reznik, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Kipke, McDonough, McMillan, Miele, Morgan, Pendergrass, Rose, Saab, Sample–Hughes, and West

AN ACT concerning

Health Insurance – Abuse–Deterrent Opioid Analgesic Drug Products – Coverage

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 850)

The Bill was then sent to the House of Delegates.

House Bill 896 – ~~Delegate Bromwell~~ Delegates Bromwell, Hammen, Hayes, McMillan, Oaks, Pena–Melnyk, Miele, Saab, Kelly, McDonough, Morgan, Morhaim, Angel, Kipke, Cullison, Sample–Hughes, Barron, Reznik, West, Rose, Hill, and K. Young

AN ACT concerning

**~~Maryland Opioid Use Disorder Consortium~~
Joint Committee on Behavioral Health and Opioid Use Disorders**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 851)

The Bill was then sent to the House of Delegates.

House Bill 1226 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Apprenticeship and Training – Replacement of Obsolete References

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 852)

The Bill was then sent to the House of Delegates.

**House Bill 1227 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Real Estate Appraisers – Licensing and Certification – Examination Waiver
Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 853)

The Bill was then sent to the House of Delegates.

**House Bill 1241 – Chair, Environment and Transportation Committee (By
Request – Departmental – Transportation)**

AN ACT concerning

Maryland Transportation Authority – Payment of Tolls and Related Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 854)

The Bill was then sent to the House of Delegates.

**House Bill 1244 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Education and Workforce Training Coordinating Council for Correctional
Institutions – Name Change**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 855)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #24

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 288 – Senator Lee

AN ACT concerning

**Criminal Procedure – Financial Crimes Against Vulnerable and Elder Adults –
Petition to Freeze Assets**

SB0288/778572/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 288

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Lee” and substitute “Senators Lee, Brochin, Cassilly, Gladden, Hough, Muse, Ramirez, Raskin, Ready, and Zirkin”; in line 8, strike “lienholders and certain”; in line 10, after “circumstances;” insert “requiring that an order to freeze assets be served on certain financial institutions in accordance with the Maryland Rules and include certain information; providing that a financial institution is not obligated to restrict access to money described in a petition to freeze assets until the occurrence of certain events;”; and strike beginning with “specifying” in line 12 down through “lien;” in line 14.

AMENDMENT NO. 2

On page 2, in line 10, strike “**OR PERSONAL OR REAL PROPERTY**”; in lines 11 and 30, in each instance, strike “**PROPERTY**” and substitute “MONEY”; strike in their entirety lines 13 and 14; in line 23, strike “**OR PROPERTY**”; and strike beginning with the colon in line 27 down through “**(II)**” in line 30.

On page 3, in line 1, after “**SERVED**” insert “ON THE DEFENDANT”; in line 6, strike “**OR PROPERTY**”; strike beginning with “**IF**” in line 8 down through “**(V)**” in line 10; in line 11, strike “**PROPERTY**” and substitute “MONEY”; in line 13, strike “**(VI)**” and substitute “(V)”; strike beginning with the colon in line 16 down through “**(II)**” in line 19; in line 19,

strike “PROPERTY” and substitute “MONEY”; and in lines 25, 26, and 30, in each instance, strike “OR PROPERTY”.

On page 4, in line 1, strike “OR PROPERTY”; strike beginning with the colon in line 19 down through “(2)” in line 24; and in line 25, strike “SET-OFF” and substitute “SET OFF”.

AMENDMENT NO. 3

On page 4, after line 3, insert:

“(E) (1) THE ORDER TO FREEZE ASSETS SHALL BE SERVED ON EACH FINANCIAL INSTITUTION IN POSSESSION OF MONEY SUBJECT TO THE ORDER.

(2) THE ORDER SHALL BE SERVED IN ACCORDANCE WITH THE MARYLAND RULES AND INCLUDE:

(I) THE NAME OF THE ACCOUNT HOLDER;

(II) THE CASE NUMBER OF THE PROCEEDING IN WHICH THE COURT ISSUED THE ORDER TO FREEZE ASSETS; AND

(III) A DESCRIPTION OF THE MONEY THAT IS SUBJECT TO THE ORDER TO FREEZE ASSETS.

(F) A FINANCIAL INSTITUTION IS NOT OBLIGATED TO RESTRICT ACCESS TO MONEY DESCRIBED IN A PETITION UNTIL:

(1) AN ORDER TO FREEZE ASSETS HAS BEEN SERVED ON THE FINANCIAL INSTITUTION; AND

(2) THE FINANCIAL INSTITUTION HAS HAD A REASONABLE OPPORTUNITY TO FREEZE THE ASSETS.”;

and in lines 4, 16, and 19, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 420 – Senator Lee

AN ACT concerning

Estates – Modified Administration – Payment of Funeral Expenses Without Court Approval

SB0420/208777/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 420

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Estates” insert “and Trusts”; in the same line, strike “Modified Administration – Payment of”; in lines 2 and 3, strike “Without Court Approval” and substitute “Allowance – Modified Administration”; strike beginning with “providing” in line 4 down through “expenses” in line 7 and substitute “increasing the maximum amount that a court may allow for certain funeral expenses; establishing that, if an estate is solvent, a personal representative is not required to obtain an allowance by the court for funeral expenses if the estate is under modified administration and the funeral expenses are included on a certain report; providing for the application of this Act; and generally relating to an allowance for funeral expenses”; and in line 10, strike “8-106(c)” and substitute “8-106”.

AMENDMENT NO. 2

On page 1, after line 16 insert:

“(a) In this section, “funeral expenses” includes the costs of a funeral, a burial, a cremation, a disposition of the decedent’s remains, a memorial, a memorial service, food and beverages related to bringing together the decedent’s family and friends for a wake or prefuneral or postfuneral gathering or meal, and any other reasonable expenses authorized by the decedent’s will.

(b) Subject to the priorities contained in § 8–105 of this subtitle, the personal representative shall pay the funeral expenses of the decedent within six months of the first appointment of a personal representative.”;

and in line 19, strike “\$10,000” and substitute “**\$15,000**”.

On page 2, after line 6, insert:

“(d) (1) If the funeral expenses are not paid within six months, the creditor may petition the court to require the personal representative to show cause why he should not be compelled to make the payment.

(2) If the court finds that the claim is valid, it shall fix the amount due and shall order the personal representative to make payment within ten days after the order is served upon the personal representative.

(3) If the personal representative does not have sufficient funds, the claimant may at a later date resubmit the personal representative’s petition when the personal representative has sufficient funds.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any estate opened before the effective date of this Act.”;

and in line 7, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 736 – Senators Reilly, Astle, Bates, Cassilly, DeGrange, Eckardt, Edwards, Hershey, Hough, Jennings, Norman, Ready, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Public Safety – Handgun Identification Requirements – Repeal**SB0736/358976/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 736

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Waugh” and substitute “Waugh, and Mathias”; in line 5, after “handguns;” insert “authorizing the Department of State Police to dispose of certain shell casings; declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Department of State Police may properly and lawfully dispose of any shell casings that are being held in storage because they were received from a dealer under the provisions of § 5–131 of the Public Safety Article.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the positions within the Department of State Police that were associated with the duties under § 5–131 of the Public Safety Article not be eliminated as a result of the repeal of § 5–131 of the Public Safety Article in Section 1 of this Act.”;

and in line 16, strike “2.” and substitute “4.”.The preceding 2 amendments were read only.

Senator Kelley moved, duly seconded, to make the Bill and Amendments a Special Order for April 10, 2015.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 882 – Senators Conway, Ferguson, Gladden, McFadden, Nathan–Pulliam, and Pugh

AN ACT concerning

Baltimore City Civilian Review Board

SB0882/858871/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 882

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 20, after “BELITTLING” insert “; **OR**”; strike line 21 in its entirety; in line 26, after “means” insert a colon; in line 27, before “the” insert “**(1)**”; in line 28, before “the” insert “**(2)**”; in line 29, before “the” insert “**(3)**”; and in lines 27, 28, and 29, in each instance, strike the comma and substitute a semicolon.

AMENDMENT NO. 2

On page 3, in line 1, before “the” insert “**(4)**”; in line 2, before “**THE**” insert “**(5)**”; in line 3, before the first “**THE**” insert “**(6)**”; in line 4, before “**THE**” insert “**(7)**”; in lines 1 and 2, in each instance, strike the comma and substitute a semicolon; in line 3, strike the comma and substitute “; **OR**”; in line 4, strike the comma and substitute a period; and strike in their entirety lines 5 through 8, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 941 – Senator Raskin

AN ACT concerning

Maryland Uniform Interstate Family Support Act – Revision

SB0941/118975/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 941
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Raskin” and substitute “Senators Raskin and Muse”.

On page 2, in line 35, strike “10–317(b)(1)” and substitute “10–317(a) and (b)(1)”; in line 36, strike “10–322(b)(3)” and substitute “10–322(b)(1) and (3)”; and strike beginning with “and” in line 36 down through “(f),” in line 37 and substitute “(d), (e), (f), and (h),”.

AMENDMENT NO. 2

On page 8, in line 11, after “a” insert “FOREIGN”.

On page 13, after line 8, insert:

“(a) When a responding tribunal of this State receives a complaint or comparable pleading from an initiating tribunal or directly pursuant to [§ 10–313] § 10–313(B) of this subtitle, it shall cause the complaint or pleading to be filed and notify the plaintiff where and when it was filed.”

On page 14, after line 9, insert:

“(1) compile and maintain a current list, including addresses, [other] OF THE tribunals in this State which have jurisdiction under this subtitle, and any support enforcement agencies in this State and transmit a copy to the state information agency of every other state;”

On page 15, in line 17, after “testify” insert “UNDER PENALTY OF PERJURY”; and after line 20, insert:

“(h) Laws attaching a privilege against the disclosure of communications between [husband and wife] SPOUSES do not apply to proceedings under this subtitle.”

On page 21, in line 13, strike the first comma and substitute “OR”; and in the same line, strike “, or § 10–353.1”.

On page 25, in line 28, strike “10–365” and substitute “10–366”.

The preceding 2 amendments were read only.

Senator Raskin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #25

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 105 – Delegates Anderson, Barron, Branch, Carr, Carter, Conaway, Cullison, Fennell, Fraser-Hidalgo, Gilchrist, Glenn, Gutierrez, Hayes, Hixson, Jackson, Kelly, Lierman, Luedtke, McCray, McIntosh, Moon, Morales, Oaks, Platt, Reznik, B. Robinson, Rosenberg, Smith, Turner, Valderrama, Vaughn, and M. Washington

AN ACT concerning

**Criminal Law – Drug Paraphernalia ~~Possession With Marijuana – Civil Offense~~
and Marijuana – Penalties**

HB0105/438279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 105

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “citation;” in line 8 and substitute “altering a certain provision that provides that the use or possession of less than a certain amount of marijuana is a civil offense to increase the amount;”; in line 8, after “from” insert “smoking or ingesting marijuana while operating or occupying a motor vehicle or”; and in line 9, after “for” insert “smoking or ingesting marijuana while operating or occupying a motor vehicle or”.

On pages 1 and 2, strike beginning with “requiring” in line 10 on page 1 down through “circumstances;” in line 4 on page 2 and substitute “establishing that a certain criminal prohibition on the use or possession of drug paraphernalia does not apply to the use or possession of drug paraphernalia involving the use or possession of marijuana;

repealing a certain affirmative defense regarding a certain medical necessity as it relates to a certain offense prohibiting the use and possession of drug paraphernalia;”.

On page 2, strike beginning with “penalties” in line 5 down through “marijuana” in line 6 and substitute “the use and possession of marijuana and drug paraphernalia”; in line 14, strike the first comma and substitute “and”; in the same line, strike “, and 7-302(g)”; in line 19, strike “5-601.1, 5-619, and 5-620” and substitute “5-601(c)(2), 5-601.1, and 5-619”; and strike in their entirety lines 27 through 31, inclusive.

AMENDMENT NO. 2

On page 3, in line 2, strike “§ 5-601, § 5-619, OR § 5-620” and substitute “§ 5-601”; in line 12, strike “, § 5-619, OR § 5-620”; strike in their entirety lines 19 through 25, inclusive; and after line 26, insert:

“5-601.

(c) (2) (i) Except as provided in subparagraph (ii) of this paragraph, a person whose violation of this section involves the use or possession of marijuana is subject to imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both.

(ii) 1. A first violation of this section involving the use or possession of less than [10] 20 grams of marijuana is a civil offense punishable by a fine not exceeding \$100.

2. A second violation of this section involving the use or possession of less than [10] 20 grams of marijuana is a civil offense punishable by a fine not exceeding \$250.

3. A third or subsequent violation of this section involving the use or possession of less than [10] 20 grams of marijuana is a civil offense punishable by a fine not exceeding \$500.

4. A. In addition to a fine, a court shall order a person under the age of 21 years who commits a violation punishable under subparagraph 1, 2, or 3 of this subparagraph to attend a drug education program approved by the Department of Health and Mental Hygiene, refer the person to an assessment for substance abuse disorder, and refer the person to substance abuse treatment, if necessary.

B. In addition to a fine, a court shall order a person at least 21 years old who commits a violation punishable under subparagraph 3 of this subparagraph to attend a drug education program approved by the Department of Health and Mental Hygiene, refer the person to an assessment for substance abuse disorder, and refer the person to substance abuse treatment, if necessary.”.

On page 3 in lines 3 and 13, on page 4 in lines 3, 6, 9, 15, and 28, and on page 5 in lines 1, 8, and 12, in each instance, strike “10” and substitute “20”.

On page 4, in lines 2 and 3, strike “, OR § 5-619 OR § 5-620 OF THIS SUBTITLE”; in lines 5 and 6, strike “, OR § 5-619 OR § 5-620 OF THIS SUBTITLE”; in lines 8 and 9, strike “, OR § 5-619 OR § 5-620 OF THIS SUBTITLE”; in lines 14 and 15, strike “, OR § 5-619 OR § 5-620 OF THIS SUBTITLE”; and in line 31, strike “, OR § 5-619 OR § 5-620”.

On page 5, in line 1, strike “OF THIS SUBTITLE”; and in lines 7 and 8 and 11 and 12, in each instance, strike “, OR § 5-619 OR § 5-620 OF THIS SUBTITLE”.

AMENDMENT NO. 3

On page 5, after line 15, insert:

“(A) (1) A PERSON MAY NOT SMOKE OR INGEST MARIJUANA WHILE OPERATING OR OCCUPYING A MOTOR VEHICLE.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.”;

in line 16, strike “(A)” and substitute “(B) (1)”; in lines 18 and 19, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 18, after the semicolon insert “OR”; strike beginning with “ON” in line 19 down through “SUBSECTION” in line 26 and substitute “AT A PRIVATELY OWNED ESTABLISHMENT THAT IS OPEN TO THE GENERAL PUBLIC”; in line 27, strike “(B)” and substitute “(2)”; in the same line, strike “SECTION” and substitute “SUBSECTION”; and in line 28, strike “\$100” and substitute “\$500”.

AMENDMENT NO. 4

On page 6, in line 28, after “(1)” insert “THIS SUBSECTION DOES NOT APPLY TO THE USE OR POSSESSION OF DRUG PARAPHERNALIA INVOLVING THE USE OR POSSESSION OF MARIJUANA.”

(2)”.

On page 7, in line 3, strike “(2)” and substitute “(3)”; in the same line, strike “(I)”; in lines 3, 6, and 7, in each instance, strike the brackets; strike beginning with “EXCEPT” in line 3 down through “A” in line 4; in lines 6 and 7, strike “1.” and “2.”, respectively; strike in their entirety lines 9 through 30, inclusive; in line 31, strike “(3)” and substitute “(4)”; and in line 33, strike “(2)(I)2” and substitute “(3)(II)”.

On pages 8 through 10, strike in their entirety the lines beginning with line 1 on page 8 through line 1 on page 10, inclusive.

On pages 10 through 13, strike in their entirety the lines beginning with line 32 on page 10 through line 13 on page 13, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 113 – Delegate Conaway

AN ACT concerning

Local Government Tort Claims Act – Limits on Liability

HB0113/788978/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 113

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Act –” insert “Notice Requirements and”; in line 4, after the semicolon insert “altering the period of time during which a certain notice of a claim under the Local Government Tort Claims Act must be provided; requiring a court to entertain a suit under the Local Government Tort Claims Act under certain circumstances, even if the required notice was not provided; authorizing a court to entertain a suit under the Local Government Tort Claims Act under certain circumstances, even if the required notice was not provided;”; and in line 9, after “5–303” insert “and 5–304”.

AMENDMENT NO. 2

On page 1, in line 17, strike “\$300,000” and substitute “\$500,000”; and in line 18, strike “\$600,000” and substitute “\$1,000,000”.

AMENDMENT NO. 3

On page 2, after line 33, insert:

“5–304.

(a) This section does not apply to an action against a nonprofit corporation described in § 5–301(d)(23), (24), (25), (26), (28), or (29) of this subtitle or its employees.

(b) (1) Except as provided in subsections (a) and (d) of this section, an action for unliquidated damages may not be brought against a local government or its employees unless the notice of the claim required by this section is given within [180 days] 1 YEAR after the injury.

(2) The notice shall be in writing and shall state the time, place, and cause of the injury.

(c) (1) The notice required under this section shall be given in person or by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, by the claimant or the representative of the claimant.

(2) Except as otherwise provided, if the defendant local government is a county, the notice required under this section shall be given to the county commissioners or county council of the defendant local government.

(3) If the defendant local government is:

(i) Baltimore City, the notice shall be given to the City Solicitor;

(ii) Howard County or Montgomery County, the notice shall be given to the County Executive; and

(iii) Anne Arundel County, Baltimore County, Harford County, or Prince George's County, the notice shall be given to the county solicitor or county attorney.

(4) For any other local government, the notice shall be given to the corporate authorities of the defendant local government.

(d) [Notwithstanding the other provisions of this section, unless the defendant can affirmatively show that its defense has been prejudiced by lack of required notice, upon motion and for good cause shown the court may entertain the suit even though the required notice was not given.] IF A CLAIMANT FAILS TO PROVIDE THE NOTICE REQUIRED UNDER THIS SECTION:

(1) ON MOTION BY THE CLAIMANT, THE COURT SHALL ENTERTAIN THE ACTION UNLESS THE DEFENDANT CAN AFFIRMATIVELY SHOW THAT ITS DEFENSE HAS BEEN PREJUDICED BY THE FAILURE TO PROVIDE NOTICE; AND

(2) ON MOTION BY THE CLAIMANT AND FOR GOOD CAUSE SHOWN, THE COURT MAY ENTERTAIN THE ACTION REGARDLESS OF WHETHER THE DEFENDANT CAN AFFIRMATIVELY SHOW THAT ITS DEFENSE HAS BEEN PREJUDICED BY THE FAILURE TO PROVIDE NOTICE.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 28 Negative – 19 (See Roll Call No. 856)

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 114 – Delegate Conaway

AN ACT concerning

Maryland Tort Claims Act – Limit on Liability

HB0114/758373/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 114

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Act –” insert “Claim Requirement and”; in line 5, after “occurrence;” insert “requiring a court to entertain a suit under the Maryland Tort Claims Act under certain circumstances, even if a certain claim was not submitted; authorizing a court to entertain a suit under the Maryland Tort Claims Act under certain circumstances, even if a certain claim was not submitted;”; and in line 9, after “12–104” insert “and 12–106”.

AMENDMENT NO. 2

On page 2, in line 2, strike “\$300,000” and substitute “\$500,000”.

AMENDMENT NO. 3

On page 2, after line 17, insert:

“12–106.

(a) This section does not apply to a claim that is asserted by cross-claim, counterclaim, or third-party claim.

(b) [A] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A claimant may not institute an action under this subtitle unless:

(1) the claimant submits a written claim to the Treasurer or a designee of the Treasurer within 1 year after the injury to person or property that is the basis of the claim;

(2) the Treasurer or designee denies the claim finally; and

(3) the action is filed within 3 years after the cause of action arises.

(C) IF A CLAIMANT FAILS TO SUBMIT A WRITTEN CLAIM IN ACCORDANCE WITH SUBSECTION (B)(1) OF THIS SECTION:

(1) ON MOTION BY THE CLAIMANT, THE COURT SHALL ENTERTAIN AN ACTION UNDER THIS SUBTITLE UNLESS THE STATE CAN AFFIRMATIVELY SHOW THAT ITS DEFENSE HAS BEEN PREJUDICED BY THE CLAIMANT’S FAILURE TO COMPLY WITH SUBSECTION (B)(1) OF THIS SECTION; AND

(2) ON MOTION BY THE CLAIMANT AND FOR GOOD CAUSE SHOWN, THE COURT MAY ENTERTAIN AN ACTION UNDER THIS SUBTITLE REGARDLESS OF WHETHER THE STATE CAN AFFIRMATIVELY SHOW THAT ITS DEFENSE HAS BEEN PREJUDICED BY THE CLAIMANT’S FAILURE TO COMPLY WITH SUBSECTION (B)(1) OF THIS SECTION.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 194 – Delegates Beitzel, Parrott, A. Miller, Adams, Arentz, Buckel, Cassilly, Dumais, Flanagan, Ghrist, Glass, Healey, C. Howard, S. Howard, Impallaria, Jacobs, Jalisi, Kelly, Kipke, Kittleman, Krebs, Mautz, McComas, McKay, McMillan, Metzgar, W. Miller, Otto, Ready, Reznik, S. Robinson, Serafini, Shoemaker, Sophocleus, Szeliga, Turner, B. Wilson, C. Wilson, and Zucker

AN ACT concerning

Vehicle Laws – Maximum Speed Limits on Highways

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 339 – Delegates Carter, Anderson, Conaway, Moon, Oaks, B. Robinson, Smith, Sydnor, and M. Washington

AN ACT concerning

Vehicle Laws – Race-Based Traffic Stops – Policy and Reporting Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 490 – Delegates Morhaim and Glenn, Glenn, Angel, Bromwell, Cullison, Kelly, Hammen, Hill, Miele, Pena-Melnyk, Pendergrass, Reznik, and K. Young

EMERGENCY BILL

AN ACT concerning

Natalie M. LaPrade Medical ~~Marijuana~~ Cannabis Commission – Miscellaneous Revisions

HB0490/118177/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 490

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Commission;” insert “renaming the Natalie M. LaPrade Medical Marijuana Commission Fund to be the Natalie M. LaPrade Medical Cannabis Commission Fund;”.

On page 2, in line 30, after “growers;” insert “repealing a provision of law requiring the Commission to encourage licensing certain growers located in agricultural zones;”.

On page 3, in line 42, strike “through 13–3303” and substitute “, 13–3302, 13–3303(a) and (h)(1)”.

AMENDMENT NO. 2

On page 5, in line 11, strike “LICENSE” and substitute “REGISTRATION”; and in lines 27 and 29, strike “(I) 1.” and “2.”, respectively, and substitute “(I) (I)” and “(II)”.

On page 6, in line 1, strike “(II)” and substitute “(2)”.

On page 9, after line 12, insert:

“(h) (1) There is a Natalie M. LaPrade Medical [Marijuana] CANNABIS Commission Fund.”.

On page 17, strike in their entirety lines 14 and 15.

On page 18, in line 4, strike “marijuana” and substitute “CANNABIS”.

On page 26, in line 30, strike “approval” and substitute “REGISTRATION”.

The preceding 2 amendments were read only.

Senator Hershey moved, duly seconded, to make the Bill and Amendments a Special Order for April 10, 2015.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 941 – Senator Raskin

AN ACT concerning

Maryland Uniform Interstate Family Support Act – Revision

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0941/118975/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 941

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Raskin” and substitute “Senators Raskin and Muse”.

On page 2, in line 35, strike “10–317(b)(1)” and substitute “10–317(a) and (b)(1)”; in line 36, strike “10–322(b)(3)” and substitute “10–322(b)(1) and (3)”; and strike beginning with “and” in line 36 down through “(f),” in line 37 and substitute “(d), (e), (f), and (h)”.

AMENDMENT NO. 2

On page 8, in line 11, after “a” insert “**FOREIGN**”.

On page 13, after line 8, insert:

“(a) When a responding tribunal of this State receives a complaint or comparable pleading from an initiating tribunal or directly pursuant to [§ 10–313] § 10–313(B) of this subtitle, it shall cause the complaint or pleading to be filed and notify the plaintiff where and when it was filed.”.

On page 14, after line 9, insert:

“(1) compile and maintain a current list, including addresses, [other] OF THE tribunals in this State which have jurisdiction under this subtitle, and any support enforcement agencies in this State and transmit a copy to the state information agency of every other state.”.

On page 15, in line 17, after “testify” insert “**UNDER PENALTY OF PERJURY**”; and after line 20, insert:

“(h) Laws attaching a privilege against the disclosure of communications between [husband and wife] SPOUSES do not apply to proceedings under this subtitle.”.

On page 21, in line 13, strike the first comma and substitute “**OR**”; and in the same line, strike “, or § 10–353.1”.

On page 25, in line 28, strike “**10–365**” and substitute “**10–366**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1105** SPONSOR: **Delegate Zucker**

SUBJECT: **Disabled Individuals – Task Force on the Maryland ABLE Program**

THIRD READING CALENDAR HOUSE NO. **39** SENATE NO. **4**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Budget and Taxation Committee Amendments (HB1105/259438/1) be adopted.

(2) That the attached Conference Committee Amendments (HB1105/533629/1) be adopted.

HB1105/259438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1105, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, after “date;” insert “stating the intent of the General Assembly to establish an ABLE Program; requiring the General Assembly to consider legislation proposed by the Task Force to establish an ABLE Program; defining a certain term;”.

AMENDMENT NO. 2

On page 36, in line 16, strike “tax-exempt” and substitute “a tax exemption for”; in line 30, strike “and” and substitute “now, therefore;”; strike in their entirety lines 31 and 32, inclusive; and after line 34, insert:

“(a) “Maryland ABLE Program” means a program in Maryland allowing disabled individuals or their families to establish savings accounts to pay qualified expenses for

disabled individuals authorized under the federal Achieving a Better Life Experience (ABLE) Act.

(b) It is the intent of the General Assembly that the State establish a Maryland ABLE Program.

(c) If the Task Force established under Section 2 of this Act determines that legislation is needed to establish the Maryland ABLE Program, the General Assembly shall consider legislation that is introduced in response to the findings of the Task Force.

SECTION 2. AND BE IT FURTHER ENACTED, That:”.

AMENDMENT NO. 3

On page 37, strike in their entirety lines 25 and 26, inclusive, and substitute:

“(d) The Department of Disabilities shall provide staff for the Task Force, with support from the College Savings Plans of Maryland, the Treasurer’s Office, and the Comptroller’s Office.”.

On page 38, in line 23, after “recommendations” insert “, and proposed legislation necessary to establish the ABLE Program”; and in line 25, strike “2.” and substitute “3.”.

HB1105/533629/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 1105, AS AMENDED

(Third Reading File Bill)

On page 2 of the Budget and Taxation Committee Amendments (HB1105/259438/1), in line 2 of Amendment No. 3, after “from” insert “the Department of Legislative Services, in consultation with”.

Senate Members:

House Members:

Chair, **Andrew A. Serafini**

Chair, **Craig J. Zucker**

Guy Guzzone

Theodore Sophocleus

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0071
SPONSOR: The Spkr (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2015

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Jones, Chair
Delegate McIntosh
Delegate Gaines
Delegate Haynes
Delegate Zucker

In addition, the House has appointed in advisory capacity: Delegates Proctor and Beitzel.

The Senate appoints:
Senator DeGrange, Chair
Senator Kasemeyer
Senator Peters
Senator Currie
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Madaleno and McFadden.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: SB 0201

SPONSOR: Sen Conway

SUBJECT: State Board for the Certification of Residential Child Care Program Professionals – Revisions

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments and respectfully requests the Senate to reconsider and concur.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Hayes, Chairman
Delegate Angel, and
Delegate Morgan.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0201

SPONSOR: Sen Conway

SUBJECT: State Board for the Certification of Residential Child Care Program Professionals – Revisions

The Senate still does not concur in the House amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Hayes, Chair
Delegate Angel
Delegate Morgan

The Senate appoints:
Senator Conway, Chairman
Senator Montgomery
Senator Bates.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0939
SPONSOR: The Spkr (Ecn Dev&Bus Clmte Cmsn), et al
SUBJECT: Proposed Regulations – Determination of Impact on Small Businesses

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Kramer, Chairman
Delegate Fisher, and
Delegate Davis.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0939
SPONSOR: The Spkr (Ecn Dev&Bus Clmte Cmsn), et al
SUBJECT: Proposed Regulations – Determination of Impact on Small Businesses

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Kramer, Chair
Delegate Fisher
Delegate Davis

The Senate appoints:
Senator Pugh, Chairman
Senator Middleton
Senator Jennings.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0943
SPONSOR: The Spkr (Ecn Dev&Bus Clmte Cmsn), et al
SUBJECT: Economic Competitiveness and Commerce – Restructuring

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Kramer, Chairman
Delegate Mautz, and

Delegate Davis.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0943

SPONSOR: The Spkr (Ecn Dev&Bus Clmte Cmsn), et al

SUBJECT: Economic Competitiveness and Commerce – Restructuring

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Kramer, Chair

Delegate Mautz

Delegate Davis

The Senate appoints:

Senator Pugh, Chairman

Senator Middleton

Senator Jennings.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 71	Sen. Edwards	Co Supts of Schs – Reappointment Exemp in Washington Co and Recruitment Recommendations
SB 90	Sen. Kelley	Guardianship of Disabled Persons and Revocation of Advance Directives
SB 109	Sen. Conway	Task Force to Study Small and Minority Design Firm Participation in State Procurement
SB 124	Sen. Gladden	Vehicle Laws – Special Registr Plates and Parking Placards for Indivs With Dsblts – Lic'd PTs
SB 190	Sen. Madaleno	Sales and Use Tax – Taxable Price – Accommodations
SB 217	Sen. Kelley	Special or Supplemental Needs Trusts – Authorization to Fund
SB 362	Calvert County Senators	Calvert County – Public Facilities Bonds
SB 371	Sen. Rosapepe	State Highway Administration – Bicycle and Pedestrian Priority Areas
SB 374	The President	Maryland False Claims Act
SB 410	Sen. Gladden	Baltimore City – Vehicle Laws – Traffic Safety
SB 439	Sen. McFadden	Baltimore City – Tax Sales
SB 444	Sen. Ready	Public Records – Inspection
SB 449	Sen. Conway	St Bd of Physens – Physicians, Physcn Assistants, and Allied Hlth Practitioners – Licensr Reqmts
SB 451	Sen. Guzzone	Vehicle Laws – Title Fees – Rental Vehicles
SB 484	Sen. Simonaire	Anne Arundel County Public Schools Funding Accountability and Transparency Act

SB 513	Sen. Klausmeier	Hospitals – Rate–Setting – Participation in 340B Program Under the Fed Public Health Service Act
SB 551	Sen. Rosapepe	Land Use – Plans – Development and Adoption
SB 555	Chair, Finance Committee	Life Insurance – Cash Surrender Values – Supplemental Benefits
SB 573	Sen. Kelley	Insurance – Standard Valuation Law and Reserve and Nonforfeiture Requirements
SB 576	Sen. Pugh	9–1–1 Emergency Telephone System – Multiple–Line Telephone Systems – Direct Dial (Kari’s Law)
SB 601	Sen. McFadden	African American Heritage Preservation Program – Reestablishment and Revisions
SB 606	Sen. Pugh	Health Insurance – Abuse–Deterrent Opioid Analgesic Drug Products – Coverage
SB 613	Sen. Astle	Self–Service Storage Facilities – Enforcement of Lien – Procedures
SB 626	Sen. Montgomery	Registered Nurses – Loc Hlth Depts – Reqmts for Personally Preparing and Dispensing Drugs and Dvcs
SB 641	Sen. Klausmeier	Public Health – Substance Abuse Treatment Outcomes Partnership Fund
SB 643	Sen. Edwards	Alcoholic Beverages – Micro–Breweries – Additional License
SB 663	Carroll County Senators	Carroll County – Public Facilities Bonds
SB 677	Sen. Ferguson	Ed – Prof Dev for Teachers and Providers of Early Childhood Ed – Master Plan
SB 689	Sen. Benson	Prince George’s County – Transfer Tax – Deputy Sheriffs
SB 743	Sen. Lee	Vital Records – New Certificates of Birth – Sex Change or Diagnosis of an Intersex Condition

SB 865	Sen. Peters	Edward T. and Mary A. Conroy and Jean B. Cryor Memorial Scholarship Programs – Eligibility
SB 886	Sen. Hough	Frederick County Property Tax Fairness Act of 2015 (Strengthening Frederick Municipalities)
SB 896	Sen. Jennings	Military Personnel and Veteran–Owned Small Business No–Interest Loan Program and Fund

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 405 – The Speaker (By Request – Office of the Attorney General) and Delegates Smith, Vallario, Rosenberg, Afzali, Anderson, Atterbeary, Barron, Beidle, Branch, Campos, Dumais, Fraser–Hidalgo, Frick, Frush, Gaines, Glenn, Hettleman, Hill, C. Howard, Jalisi, Kittleman, Kramer, Lafferty, Lierman, Lisanti, McCray, Moon, Morales, Oaks, Pena–Melnyk, Platt, B. Robinson, Sydnor, Tarlau, Turner, Valderrama, Valentino–Smith, Vaughn, Vogt, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Maryland False Claims Act

FOR the purpose of prohibiting certain actions constituting false claims against a governmental entity; providing certain penalties for making false claims; requiring the court to consider and give special attention to certain factors in determining the amount of fines and penalties provided for in certain provisions of this Act; providing that this Act does not apply to certain claims, records, or statements; authorizing a person and a governmental entity to file a civil action against a person who makes a certain false claim under certain circumstances; providing for the procedures to be followed in the civil action and for certain remedies under the action; requiring the governmental entity to investigate a certain civil action; requiring the governmental entity to make certain efforts to coordinate certain investigations and to establish a certain objective for the governmental entity; authorizing the governmental entity to intervene and proceed with a certain civil action with or without the person who initiated the action; requiring the court to dismiss the action if the governmental

entity elects not to intervene in the action; ~~authorizing the governmental entity to pursue certain alternative remedies~~; providing certain limitations on civil actions filed under this Act; prohibiting a person from taking retaliatory action against an employee, a contractor, or an agent under certain circumstances; authorizing an employee, a contractor, or an agent to file a civil action against a person who takes retaliatory action against the employee, contractor, or agent under certain circumstances; providing certain remedies for retaliatory action; establishing that certain remedies provided under this Act are in addition to certain other appropriate legal and equitable relief; requiring the Comptroller to deposit a certain penalty or damages into the General Fund of the State; requiring the Office of the Attorney General and the attorney for each county and Baltimore City to report certain information annually to the General Assembly; defining certain terms; providing for the application of this Act; and generally relating to false claims against governmental entities.

BY adding to

Article – General Provisions

Section 8–101 through 8–111 to be under the new title “Title 8. False Claims”

Annotated Code of Maryland

(2014 Volume)

Read the first time and referred to the Committee on Rules.

House Bill 662 – Delegates Cullison ~~and Reznik~~, Reznik, Pena–Melnyk, Kelly, Pendergrass, Oaks, Angel, Hammen, Sample–Hughes, Hill, and K. Young

AN ACT concerning

**Consultation, Diagnosis, and Treatment of Mental and Emotional Disorders –
Consent by Minors**

FOR the purpose of altering the health care providers who provide consultation, diagnosis, and treatment of a mental or emotional disorder to which certain minors have the same capacity as an adult to consent; providing that the capacity to consent does not include the capacity to refuse consultation, diagnosis, or treatment for a mental or emotional disorder by certain health care providers for which a certain individual has given consent; authorizing, except under certain circumstances, certain health care providers to give certain individuals information about treatment needed by or provided to a minor under a certain provision of this Act; defining a certain term; and generally relating to the consent of minors to consultation, diagnosis, and treatment of mental and emotional disorders.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 20–104

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 755 – Delegates Cullison, Anderson, B. Barnes, Barron, Campos, Carr, Fennell, Hettleman, Jalisi, Kelly, Korman, Lierman, Luedtke, Morales, Oaks, Pena-Melnyk, S. Robinson, Smith, Tarlau, ~~and A. Washington~~ A. Washington, Hammen, Angel, Bromwell, Hayes, Hill, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Pendergrass, Rose, Reznik, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

General Provisions – Public Information Act – Enforcement, Fees, and Exemptions

FOR the purpose of ~~altering certain provisions of law regarding the maintenance of public records relating to certain agricultural operations and programs;~~ establishing the State Public Information Act Compliance Board and Office of the Public Access Ombudsman; requiring the Governor and the Attorney General to publish on ~~the Governor's Office Web site~~ their Web sites certain notice relating to certain applications for membership on the Board and the names and qualifications of certain applicants; requiring the Governor to solicit certain recommendations from certain individuals; ~~authorizing the Governor to broadcast certain interviews on the Governor's Office Web site;~~ requiring the Governor, with the advice and consent of the Senate, and the Attorney General to ~~appoint the members of the Board~~ make certain appointments from a certain pool of applicants; providing for the composition, chair, terms, and meetings of the Board; prohibiting a member of the Board from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Office of the Attorney General to provide staff and office space for the Board and the Ombudsman; providing for the powers and duties of the Board; requiring the Board to report on certain matters to the Governor and the General Assembly on or before a certain date; authorizing any person to file a certain complaint with the Board; requiring that the complaint contain certain information ~~and~~, be signed by the complainant, and filed within a certain time period; requiring the Board to take certain action regarding a complaint ~~and filed within a certain time period;~~ requiring a custodian who receives a complaint from the Board to file a certain response within a certain time period; ~~requiring the Board to maintain the confidentiality of a certain public record;~~ authorizing the Board, under certain circumstances, to hold a certain conference; requiring the Board to hold a certain conference in a certain location under certain circumstances; authorizing the Board to allow certain testimony by teleconference or electronic mail; providing that a certain conference held by the Board is not a contested case; ~~requiring the Board to assess certain statutory damages and reimbursement of certain fees under certain circumstances;~~ providing that compliance by a custodian with an order of the Board is not a certain admission and may not be used as evidence in a certain proceeding; providing that a complainant is not required to exhaust certain administrative remedies before seeking certain judicial review; authorizing a complainant or

~~custodian to appeal a decision of the Board in accordance with certain provisions of law; requiring that a decision of the Board is stayed for a certain period of time under certain circumstances; providing for the staffing of the Office of the Public Access Ombudsman; providing for the qualifications, term, and salary of the Ombudsman; requiring the Ombudsman to be a full-time State employee; establishing the powers and the duties of the Ombudsman; repealing certain provisions of law related to the administrative review of a decision to deny inspection of a public record; requiring a person receiving benefits from the State to relinquish certain public records to a certain custodian; requiring a certain custodian to provide certain written information under certain circumstances; establishing that failure to ~~comply~~ produce a public record in accordance with a certain provision of law constitutes a denial of a certain application and may not be considered the result of a bona fide dispute unless the custodian complies with a certain provision of law and is working with a certain applicant in good faith; altering a certain provision of law to require a custodian who denies an application to inspect public records to provide certain information to the applicant within certain periods of time; repealing a certain limitation on the requirement that a custodian allow inspection of any part of a record that is subject to disclosure; prohibiting a custodian from ~~denying or~~ ignoring an application to inspect public records on certain grounds; altering certain provisions of law that authorize a custodian to charge a reasonable fee for certain tasks relating to public records requests; ~~authorizing a custodian to require a certain statement from an applicant under certain circumstances; prohibiting an applicant from obtaining any part of a public record under certain circumstances; requiring the Board to establish a penalty for a certain violation of a certain provision of this Act; requiring a custodian within a certain period of time to provide certain evidence to the Board if the custodian refuses to waive a certain fee under certain circumstances; requiring a custodian to ~~provide certain proof~~ demonstrate to the Board Ombudsman certain applicability or harm if an applicant challenges a certain denial to disclose certain public records or the application of a certain exemption; authorizing a complainant or custodian to appeal a certain decision to a certain circuit court; establishing that ~~certain defendants are~~ a certain defendant is liable for certain statutory damages under certain circumstances; ~~repealing~~ altering certain burdens of proof that a complainant must show to recover certain damages in a certain court; defining certain terms; specifying the initial terms of the members of the Board; requiring the Attorney General, in consultation with certain persons, to report on certain matters to the Governor and the General Assembly on or before a certain date; making conforming changes; ~~providing for the effective dates of this Act;~~ and generally relating to the Public Information Act.~~~~

~~BY repealing and reenacting, with amendments,
 Article – Agriculture
 Section 8-801.1 and 8-1010
 Annotated Code of Maryland
 (2007 Replacement Volume and 2014 Supplement)~~

BY repealing and reenacting, with amendments,
 Article – General Provisions

Section 4-101, ~~4-201~~, 4-203, 4-206, ~~4-343~~, 4-301, and 4-362; and the amended part designation “Part VI. Judicial Review” immediately preceding Section 4-361
Annotated Code of Maryland
(2014 Volume)

BY adding to

Article – General Provisions

Section 4-1A-01 through 4-1A-10 to be under the new subtitle “Subtitle 1A. State Public Information Act Compliance Board” and 4-1B-01 through 4-1B-04 to be under the new subtitle “Subtitle 1B. Public Access Ombudsman”

Annotated Code of Maryland
(2014 Volume)

BY repealing

Article – General Provisions

Section 4-361

Annotated Code of Maryland
(2014 Volume)

Read the first time and referred to the Committee on Rules.

House Bill 805 – Delegate Cullison

AN ACT concerning

State Board of Professional Counselors and Therapists – Examination of Applicants, Licensees, Certificate Holders, and Trainees

FOR the purpose of requiring the State Board of Professional Counselors and Therapists to require certain applicants, licensees, certificate holders, and trainees to submit to a mental health or physical examination under certain circumstances; providing that certain applicants, licensees, certificate holders, or trainees are deemed to have consented to submit to an examination and to have waived a certain claim of privilege under certain circumstances; providing that a certain report or testimony of a certain health care practitioner is confidential, except under certain circumstances; providing that the failure or refusal of a certain applicant, licensee, certificate holder, or trainee to submit to a certain examination is prima facie evidence of the inability to practice competently, unless the Board makes a certain finding; requiring the Board to pay the reasonable cost of certain examinations for certain licensees, certificate holders, or trainees; requiring certain applicants to pay the reasonable cost of a certain examination; and generally relating to the State Board of Professional Counselors and Therapists and examinations of applicants, licensees, certificate holders, and trainees.

BY adding to

Article – Health Occupations

Section 17–513.1
Annotated Code of Maryland
(2014 Replacement Volume)

Read the first time and referred to the Committee on Rules.

House Bill 980 – Delegates McCray, Moon, Anderson, Angel, B. Barnes, D. Barnes, Campos, Carr, Carter, Conaway, Cullison, Ebersole, Fennell, Frick, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hettleman, Hixson, Holmes, C. Howard, Jalisi, Jones, Kelly, Korman, Lam, Lierman, Luedtke, McIntosh, A. Miller, Morales, Oaks, Patterson, Pena–Melnyk, Platt, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample–Hughes, Smith, Sydnor, Tarlau, Valderrama, Valentino–Smith, Vaughn, A. Washington, and M. Washington

AN ACT concerning

Election Law – Voting Rights – Ex–Felons

FOR the purpose of altering certain qualifications for voter registration; providing that individuals discharged from incarceration are qualified to register to vote; ~~requiring certain State authorities to notify certain individuals of their right to vote on release from incarceration; specifying that the notice include certain information; requiring the State Administrator of Elections to make arrangements with the Department of Public Safety and Correctional Services to receive certain monthly reports concerning certain individuals with criminal convictions who are released from incarceration; requiring certain courts to notify certain defendants concerning their voting rights prior to accepting a guilty plea and before sentencing; making a conforming change;~~ and generally relating to voting rights and ex–felons.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102, ~~3–204, 3–504,~~ and 16–202
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

~~BY adding to~~
~~Article – Criminal Procedure~~
~~Section 6–234~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2014 Supplement)~~

Read the first time and referred to the Committee on Rules.

**House Bill 999 – Delegates Cullison, Kelly, Kipke, ~~and Pena–Melnyk~~
Pena–Melnyk, Hayes, McMillan, Oaks, Miele, Saab, McDonough, Bromwell,**

Morgan, Angel, Pendergrass, Hammen, Sample-Hughes, Barron, Reznik, West, Rose, Krebs, and K. Young

AN ACT concerning

~~Nurse Practitioner Full Practice Authority Act of 2015~~

Certified Nurse Practitioners – Authority to Practice

FOR the purpose of repealing a certain prohibition against a certified nurse practitioner practicing in the State unless the nurse practitioner has an approved attestation that the nurse practitioner has an agreement for collaboration and consulting with a certain physician and will practice in accordance with certain standards; requiring a nurse practitioner to practice in accordance with certain standards; ~~repealing a requirement that the State Board of Nursing maintain a certain attestation and make the attestation available to the State Board of Physicians; requiring the State Board of Nursing, in consultation with the State Board of Physicians, to develop a certain plan~~ requiring certain applicants for initial certification as a nurse practitioner to identify, on a certain application, a certified nurse practitioner or a licensed physician to act as a mentor for a certain time period; altering the definition of “practice as a nurse practitioner” to include consulting and collaborating with a certain physician or any other health care provider as needed; defining a certain term; requiring the State Board of Nursing to adopt certain regulations; and generally relating to the practice of nurse practitioners in the State.

BY adding to

Article – Health Occupations
Section 8-101(j)
Annotated Code of Maryland
(2014 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 8-101(j) through (n) and 8-302(b)
Annotated Code of Maryland
(2014 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 8-302(a)
Annotated Code of Maryland
(2014 Replacement Volume)

~~BY repealing and reenacting, with amendments,~~

~~Article – Health Occupations~~
~~Section 8-302(b)~~
~~Annotated Code of Maryland~~

~~(2014 Replacement Volume)~~

Read the first time and referred to the Committee on Rules.

House Bill 1065 – Delegates Hixson, Branch, Carr, Cullison, Dumais, Frick, Gutierrez, Kaiser, Luedtke, Moon, Platt, S. Robinson, Turner, and M. Washington

AN ACT concerning

Sales and Use Tax – Taxable Price – Accommodations

FOR the purpose of clarifying the definition of “taxable price” for the State sales and use tax as it applies to the sale or use of an accommodation facilitated by an accommodations intermediary; altering the definition of “vendor” under the State sales and use tax to include an accommodations intermediary; defining certain terms; making a conforming change; and generally relating to clarifying the taxable price for an accommodation under the State sales and use tax.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 11–101(a) and (l)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

BY adding to
Article – Tax – General
Section 11–101(a–1), (a–2), (a–3), ~~(a–4)~~, and (l)(5) and (6)
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–101(k)(1) and (o)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1109 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Behavioral Health Administration – Powers, Duties, and Responsibilities

FOR the purpose of establishing certain powers, duties, and responsibilities of the Director of the Behavioral Health Administration in the Department of Health and Mental Hygiene; requiring the Secretary of Health and Mental Hygiene to provide certain facilities for certain purposes to the extent of certain funds; establishing certain duties of the Behavioral Health Administration; requiring the Secretary to adopt certain regulations; prohibiting discrimination against certain individuals by certain hospitals or programs; requiring certain behavioral health programs to be licensed by the Secretary, with certain exceptions; authorizing the Secretary to require certain accreditation as a condition of licensure; authorizing certain licensing fees; establishing that individuals served by a behavioral health program have certain rights; requiring the Department of Health and Mental Hygiene to adopt certain regulations; prohibiting an individual or organization from operating a behavioral health program in violation of certain provisions of law; establishing a certain criminal fine; authorizing the Department of Health and Mental Hygiene to pursue an injunction under certain circumstances; requiring certain halfway houses for certain individuals with certain substance-related disorders to be licensed in accordance with certain provisions of law; establishing certain zoning provisions for certain halfway houses; requiring the Director on or after a certain date to prepare and implement a certain mental health plan in concert with certain entities; altering certain provisions of law relating to county mental health advisory committees; requiring certain private group homes to be licensed in accordance with certain provisions of law; altering a certain exception to a certain prohibition on review of a certain court record relating to a certain petition; establishing certain duties of certain local behavioral health authorities and local addictions authorities under certain circumstances; requiring core service agencies, local addictions authorities, and local behavioral health authorities to submit a certain plan to the Director; establishing certain duties of the Director regarding the initiation of the development of core service agencies, local addictions authorities, and local behavioral health authorities, under certain circumstances; establishing certain duties of the Director related to assuring the continuing provision of certain services; authorizing the Director to deny approval of a local addictions authority or local behavioral health authority and cease funding or request the return of unspent funds by a local addictions authority or local behavioral health authority under certain circumstances; authorizing a county to terminate its local addictions authority or local behavioral health authority in a certain manner; prohibiting the Director from requiring a local addictions authority or local behavioral health authority to provide certain services; altering certain provisions of law relating to a certain mental health crisis response system; repealing certain limitations on admission to certain private group homes; repealing certain provisions of law setting salaries of employees of certain community mental health programs; repealing a certain program for certain hearing-impaired individuals with a mental disorder; establishing certain legislative policy; adding and altering certain defined terms; making conforming, clarifying, technical, and stylistic changes; and generally relating to behavioral health care and the Behavioral Health Administration in the Department of Health and Mental Hygiene.

BY repealing

Article – Health – General

Section 8–402 through 8–404, 8–702, 8–703, 10–515, 10–517, 10–520 through 10–523, 10–604, 10–901, and 10–905; and 10–908 through 10–913 and the part “Part II. Program for Hearing Impaired Individuals”

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Education~~

~~Section 7–4A–03(a)(9)(xi)~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2014 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–307(a)(3) and (h), 5–705(b)(11), 5–803(1), 5–805(a)(1), 7.5–101, 7.5–204, 8–101, 10–101, 10–207(b)(1) and (d), 10–308(f) and (g), 10–309(a), 10–312(b)(4)(i)5., 10–516, 10–518, 10–630(b)(5), 10–701(a)(6), 10–1101₅; 10–1201, 10–1202(a), (b), (c), and ~~(d)(2)~~ (d)(1), (2), (3), (4)(iii), and (7), 10–1202.1(b), (c)(2)(i), and (f), and 10–1203₇ to be under the amended subtitle “Subtitle 12. Core Service Agencies, Local Addictions Authorities, and Local Behavioral Health Authorities”; 16–101(b)(2) and (e)(2)(i) and (v), 16–201.2(a)(3) and (4), 16–204(c), and 19–2301(d)(10) and (11)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

BY adding to

Article – Health – General

Section 7.5–205 and 7.5–206; 7.5–301 through 7.5–304 to be under the new subtitle “Subtitle 3. Behavioral Health Programs”; and 8–405, 8–406, and 16–201.2(a)(6)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 10–630(a) and 16–101(e)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 10–1401(b), 10–1403(a)(1)(ii) and (b), and 10–1404(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2014 Supplement)

(As enacted by Chapter 371 of the Acts of the General Assembly of 2002)

BY adding to

Article – Health – General
Section 10–1401(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)
(As enacted by Chapter 371 of the Acts of the General Assembly of 2002)

BY repealing and reenacting, with amendments,

Article – Human Services
Section 8–101(e), 8–302(2)(iii), 8–406(a)(1)(iv), and 8–407(4)
Annotated Code of Maryland
(2007 Volume and 2014 Supplement)

BY adding to

Article – Human Services
Section 8–101(k–1)
Annotated Code of Maryland
(2007 Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1172 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Individuals With Developmental Disabilities – Providers – Licenses

FOR the purpose of requiring a person to be licensed by the Department of Health and Mental Hygiene before the person may provide services to an individual with a developmental disability or a recipient of individual support services; repealing the authority of the Developmental Disabilities Administration to license certain persons to provide certain services; requiring the Department to adopt certain regulations; altering the circumstances under which the Deputy Secretary for Developmental Disabilities may waive the requirement for a certain license; requiring the Department to make a certain approval of the composition of a governing body; ~~requiring the Secretary of Health and Mental Hygiene to adopt certain rules and regulations~~; requiring an applicant for a certain license to submit a certain application to the Department in a certain manner; requiring an applicant to meet certain requirements to be issued a certain license; requiring the Department to conduct a certain investigation; authorizing the Department to deny a certain license under certain circumstances; altering a certain definition; requiring the Department to conduct certain inspections and to evaluate the performance of certain surveyors; requiring the Department to define certain criteria; repealing the authority of the Administration and the Office of Health Care Quality to adopt certain regulations; making conforming changes; authorizing the Department to impose certain sanctions; prohibiting a certain civil money penalty from exceeding a

certain amount; requiring the Department to consider certain factors in establishing the amount of a certain civil money penalty; requiring the Department to offer a licensee an opportunity for a certain resolution under certain circumstances; requiring the Department to provide certain notice and an opportunity for a hearing under certain circumstances; requiring the Department to have the burden of proof with respect to the imposition of a certain penalty; repealing the authority of the Administration to impose a certain sanction; making a certain technical correction; providing for the effective date of this Act; and generally relating to the licensing of providers of services to an individual with a developmental disability or a recipient of individual support services by the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–903 through 7–907, 7–909, and 7–910
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 472 – Delegate Jameson

AN ACT concerning

Telephone Companies – Streamlined Regulatory Requirements

FOR the purpose of narrowing the types of services of a telephone company that are regulated by the Public Service Commission by altering a certain definition; providing that the Commission may allow a certain telephone company to provide a regulated service without requiring the telephone company to file a certain tariff schedule under certain circumstances; providing that a telephone company that is regulated in a certain manner is not required to file with the Commission a certain tariff schedule for certain regulated retail services under certain circumstances; providing that a telephone company that is not regulated in a certain manner is not required to file with the Commission a certain tariff schedule for certain regulated retail services under certain circumstances; authorizing the Commission to issue certain orders or adopt certain regulations; providing that a certain merger of or transfer of stock or other ownership interest between a telephone company and another certain entity does not require a certain prior authorization from the Commission; providing that a certain transaction in which a telephone company is acquired by another certain entity does not require a certain prior authorization from the Commission; ~~allowing a telephone company to withdraw offering a certain retail service under certain circumstances after providing certain notice;~~ requiring the Commission to make a certain determination on certain services on or before a certain date; requiring the Commission to study whether and how a telephone company should be authorized to withdraw certain services in the State; requiring the Commission to make a determination whether certain changes are needed to regulations to ensure that customers are properly and conspicuously notified of

certain rate increases; requiring the Commission to report its findings and recommendations of a certain study and determination on or before a certain date; and generally relating to regulatory requirements of telephone companies.

BY repealing and reenacting, without amendments,
 Article – Public Utilities
 Section 1–101(a)
 Annotated Code of Maryland
 (2010 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
 Article – Public Utilities
 Section 1–101(l), 4–202, 5–203, and 6–101
 Annotated Code of Maryland
 (2010 Replacement Volume and 2014 Supplement)

~~BY adding to
 Article – Public Utilities
 Section 8–109
 Annotated Code of Maryland
 (2010 Replacement Volume and 2014 Supplement)~~

Read the first time and referred to the Committee on Rules.

House Bill 552 – Delegates Pendergrass and Hammen

AN ACT concerning

Health Insurance – Medical Stop–Loss Insurance – Small Employers

FOR the purpose of altering, with ~~a certain exception~~ certain exceptions, certain attachment points above which a medical stop–loss insurer assumes certain liability for losses incurred by an insured; applying the altered attachment points to renewal of a policy or contract of medical stop–loss insurance; prohibiting a medical stop–loss insurer, for a certain policy or contract, from taking certain actions; requiring a medical stop–loss insurer, for a certain policy or contract, to guarantee certain rates, pay certain claims within a certain period, and disclose certain information to a small employer; ~~requiring a medical stop–loss insurer, on or before a certain date each year, to file a certain actuarial certification with the Maryland Insurance Commissioner;~~ requiring the Maryland Insurance Administration to conduct a study of the use of medical stop–loss insurance in self–funded employer health plans; requiring the Administration to solicit information from stakeholders, including certain persons, and hold certain hearings; requiring the study to include certain matters; requiring the Administration to submit certain reports to the Governor and certain legislative committees on or before certain dates; providing for the application of this Act; providing for the termination of this Act; defining a certain

term; making ~~a certain conforming change~~ certain conforming changes; and generally relating to medical stop-loss insurance.

BY repealing and reenacting, with amendments,
 Article – Insurance
 Section 15-129
 Annotated Code of Maryland
 (2011 Replacement Volume and 2014 Supplement)

Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #26

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 615 – Senator Eckardt

AN ACT concerning

Income Tax Credit – Preservation and Conservation Easements

SB0615/509835/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 615

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 8 down through “date;” in line 26 and substitute “requiring the Comptroller to adopt certain regulations;”.

AMENDMENT NO. 2

On page 3, in line 20, strike the brackets; and strike beginning with “IF” in line 21 down through “MEMBER” in line 24.

On page 4, strike in their entirety lines 4 through 7, inclusive, and substitute:

“(4) THE SUM OF ALL CREDITS CLAIMED BY MEMBERS OF A PASS-THROUGH ENTITY IN A TAXABLE YEAR MAY NOT EXCEED THE AMOUNT SPECIFIED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.”.

On pages 4 and 5, strike in their entirety the lines beginning with line 11 on page 4 through line 28 on page 5, inclusive.

On page 5, in line 29, strike “(H)” and substitute “(F)”; strike beginning with “AND” in line 29 down through “TRUST,” in line 30; in line 31, strike “TO CARRY OUT THE PROVISIONS OF THIS SECTION AND”; and strike beginning with “THE” in line 32 down through “OF” in line 33 and substitute “A MEMBER OF A PASS-THROUGH ENTITY TO CLAIM”.

On page 6, strike in their entirety lines 1 through 14, inclusive; and in line 15, strike “4.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #27

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 54 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Circuit Court Real Property Records Improvement Fund – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 274 – Frederick County Delegation

AN ACT concerning

Frederick County – Gaming Events

HB0274/309834/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 274

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 24 down through “Commission;” in line 25.

AMENDMENT NO. 2

On page 4, in line 21, strike “**(1)**”; and in lines 25 and 27, strike “**(I)**” and “**(II)**”, respectively, and substitute “**(1)**” and “**(2)**”, respectively.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 1 through 4, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 280 – Carroll County Delegation

AN ACT concerning

Carroll County – Table Gaming Events

HB0280/959138/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 280

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Table”; in lines 4, 7, 8, 10, 12, 14, 16, 18, and 21, in each instance, strike “table gaming” and substitute “casino”; in line 9, strike “organized” and

substitute “operated”; in line 11, strike “individuals who participate in or help operate” and substitute “a certain volunteer or player in”; in line 12, strike “certain ages” and substitute “a certain age”; in line 17, strike “certain”; in the same line, strike “, subject” and substitute “; specifying”; in the same line, strike “to”; in line 19, strike “during a certain time” and substitute “after a certain time on Sunday”; in line 24, after “prizes” insert “to the Board of County Commissioners for Carroll County”; and strike beginning with “requiring” in line 24 down through “certain” in line 25.

AMENDMENT NO. 2

On page 2, in line 1, strike “information to the State Lottery and Gaming Control Commission;”; after line 3, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–906

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)”;

after line 11, insert:

“13–906.

(a) Notwithstanding § 13–903 of this subtitle AND EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION AND § 13–906.1 OF THIS SUBTITLE, a person may not conduct a card game, dice game, roulette, or casino [night unless the person is a senior center site council that conducts a card game under subsection (b) of this section] EVENT.

(b) (1) A senior center site council may conduct a card game in a senior center 5 days per week, excluding Sunday.

(2) A senior center site council may not:

(i) award a prize of money exceeding \$5 to a winner in each session;

and

(ii) charge a participant more than \$1 to play one session.

(3) All money that remains after prizes are awarded shall be distributed to the senior center site council.”;

after line 14, insert:

“(2) “CASINO EVENT” INCLUDES THE PLAY OF CARD GAMES, DICE GAMES, AND ROULETTE.”;

in line 15, strike “(2)” and substitute “(3)”; in line 16, strike “TABLE GAMING” and substitute “CASINO”; strike in their entirety lines 17 and 18; and in line 20, strike “TABLE GAMING” and substitute “CASINO”.

AMENDMENT NO. 3

On page 3, in lines 2, 10, 12, 15, and 18, in each instance, strike “TABLE GAMING” and substitute “CASINO”; in line 21, strike “TABLE”; in line 22, strike “GAMING” and substitute “CASINO”; and in line 26, strike “BENEFIT FINANCIALLY OR BE USED FOR” and substitute “BE USED FOR THE FINANCIAL BENEFIT OR”.

AMENDMENT NO. 4

On page 4, in lines 2, 11, 22, and 26, in each instance, strike “TABLE GAMING” and substitute “CASINO”; in lines 4 and 6, in each instance, strike “TABLE”; in lines 5 and 7, in each instance, strike “GAMING” and substitute “CASINO”; in line 21, strike “(1)”; and in lines 25 and 28, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively.

AMENDMENT NO. 5

On page 5, strike in their entirety lines 1 through 4, inclusive; and in line 15, strike “TABLE GAMING” and substitute “CASINO”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 425 – Howard County Delegation

AN ACT concerning

**Howard County – Casino Events – Authorized
Ho. Co. 7-15**

HB0425/269234/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 425

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 18 down through “Commission;” in line 19.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 4 through 6, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 598 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Raffles – Charitable Foundations ~~and Repeal of~~
~~Monetary Cap~~
PG 301-15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**House Bill 1113 – Chair, Ways and Means Committee (By Request – Departmental
– Lottery and Gaming Control Agency)**

AN ACT concerning

Video Lottery Facilities – Operation and Employee Licenses – Crimes or Acts of Moral Turpitude or Gambling

HB1113/259230/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1113

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “certain licenses” and substitute “a certain license”; in line 10, strike “altering” and substitute “repealing”; in line 11, after the first “that” insert “the Commission deny a certain license to”; in the same line, strike “be” and substitute “who is”; in the same line, strike “for” and substitute “due to”; and in line 12, strike “is not prosecuted” and substitute “has not been or may not be prosecuted under certain laws”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 30 through 34, inclusive.

On page 4, in lines 1 and 6, strike “(8)” and “(9)”, respectively, and substitute “**(7)**” and “**(8)**”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1115 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

Gaming – Video Lottery Employee – Temporary License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #28

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 913 – Delegate Hixson

AN ACT concerning

**Transportation – Highway User Revenues – Local Government Reporting –
Revisions**

HB0913/869036/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 913

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “revenues” insert “, the amount of funds diverted from a certain general fund to pay for certain projects funded by highway user revenues, and the transportation projects that have been delayed due to a lack of funding; requiring the Administration to provide Baltimore City, counties, and municipalities with an accounting report form in a certain manner on or before a certain date each year”.

AMENDMENT NO. 2

On page 2, in line 5, after “(A)” insert “**(1)**”; in lines 11, 12, and 13, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; in line 12, strike “and”; in line 13, strike “each” and substitute “**ITEMS (I) AND (II) OF THIS PARAGRAPH**”; in line 14, after “subtitle” insert “;”

(IV) SHOWS THE AMOUNT OF FUNDS DIVERTED FROM THE GENERAL FUND OF THE COUNTY OR MUNICIPALITY TO PAY FOR SPECIFIC PROJECTS AUTHORIZED IN § 8-408 OR § 8-409 OF THIS SUBTITLE DURING THE PRECEDING FISCAL YEAR; AND

(V) LISTS SPECIFIC PROJECTS AUTHORIZED IN § 8-408 OR § 8-409 OF THIS SUBTITLE THAT HAVE BEEN DELAYED DUE TO A LACK OF FUNDING.

(2) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE ADMINISTRATION SHALL PROVIDE BALTIMORE CITY, EACH COUNTY, AND EACH ELIGIBLE MUNICIPALITY WITH AN ELECTRONIC COPY OF AN ACCOUNTING REPORT FORM TO BE USED TO SUBMIT THE INFORMATION REPORTED UNDER PARAGRAPH (1) OF THIS SUBSECTION”;

in lines 17 and 26, in each instance, after “(A)” insert “(1)”; and in line 21, after “COMMITTEE,” insert “THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1111 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

Video Lottery Facility – Areas Prohibited to Individuals Under the Age of 21 Years – Employee Exception

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1114 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

State Lottery and Gaming Control Agency – Raffles – Authorized

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #26

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 84 – Delegate Krebs

AN ACT concerning

Annotated Code of Maryland – Captions and Catchlines – Interpretation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 109 – Delegates Dumais and Vallario

AN ACT concerning

Guardianship of the Person – Disabled Persons – Attorney’s Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 165 – Delegate Dumais

AN ACT concerning

Family Law – Grounds for Limited Divorce

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 225 – Delegates Dumais, Anderson, Angel, Atterbeary, Hettleman, Jalisi, Kittleman, McComas, Moon, Morales, Rosenberg, Smith, Valentino-Smith, Waldstreicher, ~~and B. Wilson~~ B. Wilson, and Glass

AN ACT concerning

Domestic Violence – Additional Relief**HB0225/548174/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 225

(Third Reading File Bill)

On page 1, in line 7, strike “appropriate” and substitute “necessary”.

On page 6, in line 2, strike “APPROPRIATE” and substitute “NECESSARY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 233 – Delegate Beidle

AN ACT concerning

Motor Vehicles – Calculation of Length – Loading Devices

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 286 – Delegates O’Donnell and Fisher

AN ACT concerning

~~Highways~~ Calvert and St. Mary’s Counties – Scenic Byways – Signs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 304 – Delegates Carter, Anderson, Barron, Branch, Conaway, Glass, Glenn, Gutierrez, Haynes, Jalisi, Lierman, McCray, Moon, Oaks, Pena–Melnyk, Proctor, B. Robinson, Rosenberg, Smith, and Vallario

AN ACT concerning

Criminal Procedure – Expungement of Records

HB0304/118374/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 304

(Third Reading File Bill)

On page 1, in line 3, strike “repealing” and substitute “altering”; strike beginning with “other” in line 5 down through “period” in line 6; and strike beginning with the semicolon in line 7 down through “petition;” in line 9 and substitute “or is a defendant in a pending criminal proceeding; establishing a certain exception to a provision of law that provides a person is not entitled to an expungement under certain circumstances;”.

On page 2, in line 9, after “judgment” insert “, [a nolle prosequi,] a stet, [including a nolle prosequi with the requirement of drug or alcohol treatment or] a stet with the requirement of drug or alcohol abuse treatment, [a conviction for a crime specified in subsection (a)(9) of this section,] a finding of not criminally responsible, or the grant of a pardon by the Governor;”; in line 14, before “the” insert “(ii)”; in the same line, after “person” insert “;”; in line 15, strike “**WITHIN 3 YEARS OF**” and substitute “1. since”; in same line, after “the” insert “full and unconditional pardon, entry, OR finding of not criminally responsible[, or conviction]”; strike beginning with “**ENTRY**” in line 16 down through “**JUDGMENT**” in line 17; in line 17, after “than” insert “:

A.;

in line 19, strike “(II)” and substitute “B.”; and in the same line, strike “**THE PERSON**” and substitute “A CRIME WHERE THE ACT ON WHICH THE CONVICTION WAS BASED IS NO LONGER A CRIME; OR

2.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 313 – Delegate Beidle

AN ACT concerning

~~Motor Vehicle Administration – Temporary Registration Plates – Regulations~~ Vehicle Laws – Dealers – Financing or Leasing Agreements

HB0313/258370/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 313

(Third Reading File Bill)

On page 1, in lines 11 and 12, strike “third party” and substitute “third-party”; in line 18, after “payment,” insert “and”; in the same line, strike “and excise” and substitute “or”; in lines 18 and 19, strike “, dealer processing charge, and any other fee, tax, or charge”; in line 21, after “canceled;” insert “requiring a dealer to maintain certain required security for a vehicle until a certain financing or lease agreement is approved by a third-party finance source; prohibiting a buyer from waiving the rights established by this Act;”; and in line 22, after “buyer;” insert “making a violation of this Act an unfair and deceptive trade practice; establishing that a dealer that is found guilty of an unfair and deceptive trade practice is subject to certain enforcement and penalty provisions;”.

On page 2, after line 4, insert:

“BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 13-301(14)(xxviii)

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 13-301(14)(xxix) and (15)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)

BY adding to

Article – Commercial Law
Section 13-301(14)(xxx)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)”;

after line 11, insert:

“Article – Commercial Law

13-301.

Unfair or deceptive trade practices include any:

(14) Violation of a provision of:

(xxviii) Title 12, Subtitle 10 of the Financial Institutions Article;

[or]

(xxix) Title 19, Subtitle 7 of the Business Regulation Article; or

(xxx) SECTION 15-311.3 OF THE TRANSPORTATION ARTICLE; OR

(15) Act or omission that relates to a residential building and that is chargeable as a misdemeanor under or otherwise violates a provision of the Energy Conservation Building Standards Act, Title 7, Subtitle 4 of the Public Utilities Article.”;

in line 23, strike “**3**” and substitute “**4**”; in line 28, after “**DEALER**” insert “**BOTH VOLUNTARILY**”; in the same line, strike “**DIFFERENT**” and substitute “**NEW**”; in the same line, after “**TERMS**” insert “**FOR THE SALE**”; in line 29, strike “**EXCISE**”; strike beginning with “**DEALER**” in line 29 down through “**ANY**” in line 30 and substitute “**OR**”; strike beginning with “**, IN**” in line 30 down through “**VEHICLE,**” in line 31; and in line 33, after “**SALE.**” Insert “**YOU MAY NOT WAIVE ANY OF THESE RIGHTS.**”.

On page 3, in line 3, strike “3” and substitute “4”; in line 9, strike “DELIVERY” and substitute “RECEIPT”; and strike beginning with the colon in line 22 down through “TRANSACTION” in line 30 and substitute “ANY TRADE-IN VEHICLE, DOWN PAYMENT, AND TITLING FEE OR TAX PAID UNDER TITLE 13, SUBTITLE 8 OF THIS ARTICLE”.

On page 4, in line 3, after “(E)” insert “A DEALER SHALL MAINTAIN THE REQUIRED SECURITY FOR THE VEHICLE UNDER § 17-104 OF THIS ARTICLE UNTIL THE TERMS OF THE FINANCING OR LEASE AGREEMENT BETWEEN A BUYER AND A DEALER ARE APPROVED BY A THIRD-PARTY FINANCE SOURCE.”

(F) A BUYER MAY NOT WAIVE THE RIGHTS ESTABLISHED UNDER THIS SECTION.

(G)”;

in the same line, strike “§§ 12-609 AND 12-1023” and substitute “TITLE 12, SUBTITLES 1 AND 6”; and after line 5, insert:

“(H) A VIOLATION OF THIS SECTION BY A DEALER:

(1) IS AN UNFAIR AND DECEPTIVE TRADE PRACTICE UNDER TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND

(2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 346 – Delegates Morales, Pena-Melnyk, Angel, Atterbeary, D. Barnes, Campos, Carter, Chang, Dumais, Frick, Jackson, Kipke, Kittleman, Moon, Patterson, Platt, Smith, Sydnor, Vallario, Waldstreicher, Walker, A. Washington, and K. Young

AN ACT concerning

Court Personnel – Altering References From Master to Magistrate

HB0346/268970/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 346

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “divorce,” insert “in provisions concerning judicial review of a certain zoning decision of a certain board of appeals or a zoning action of a certain legislative body, in provisions concerning the acknowledgement of certain instruments in the State.”.

On page 2, after line 6, insert:

“BY repealing and reenacting, with amendments,

Article – Land Use

Section 4–402(b)

Annotated Code of Maryland

(2012 Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 19–102

Annotated Code of Maryland

(2014 Replacement Volume)”.

AMENDMENT NO. 2

On page 5, after line 28, insert:

“Article – Land Use

4–402.

(b) (1) If, after a hearing, the circuit court determines that testimony is needed for the proper disposition of the matter, the court may take evidence or appoint a special [master] MAGISTRATE to:

(i) take the required evidence; and

(ii) report the evidence to the court with the special [master's] MAGISTRATE'S findings of fact and conclusions of law.

(2) The special [master's] MAGISTRATE'S evidence, findings, and conclusions shall constitute a part of the proceedings on which the court shall make its determination.

Article – State Government

19–102.

The acknowledgment of any instrument may be made in the State before:

- (1) a judge of a court of record;
- (2) a clerk or deputy clerk of a court having a seal;
- (3) a notary public; or
- (4) a [master] MAGISTRATE in chancery.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 368 – Delegate Beidle (By Request – Anne Arundel County Administration) and Delegates Carey, Chang, S. Howard, McConkey, McMillan, Pena–Melnik, Saab, Simonaire, Sophocleus, ~~and Vitale~~ Vitale, Bromwell, Anderson, Angel, Atterbeary, Cullison, Dumais, Hammen, Hayes, Kipke, Krebs, Miele, Moon, Morales, Morhaim, Oaks, Pendergrass, Reznik, West, and K. Young

AN ACT concerning

Civil Actions – Immunity From Liability – Emergency Medical Care for Drug Overdose

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 493 – Delegates McMillan, Valderrama, Beidle, Frush, Holmes, Stein, and Szeliga

AN ACT concerning

**Motor Vehicles – Prohibition Against Unattended Motor Vehicle – ~~Exception~~
Exceptions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 510 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Education – School Bus – Doors That Lock
MC 27–15**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 614 – Delegate Dumais

AN ACT concerning

Department of State Police – Handgun Roster Board – Definition of Handgun

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 624 – Delegates Miele, McConkey, Bromwell, Krebs, Pena–Melnik, and ~~Saab~~ Saab, and Sample–Hughes

AN ACT concerning

Estates and Trusts – Funeral Expenses Allowance – Modified Administration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 737 – Delegates B. Wilson, Dumais, Folden, Kittleman, Shoemaker, ~~and Turner~~ Turner, and Kramer

AN ACT concerning

**Criminal Procedure – Financial Crimes Against Vulnerable and Elder Adults –
Petition to Freeze Assets**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 812 – Delegates Hornberger, Arentz, Beitzel, Buckel, Carozza, Cassilly, Ghrist, Jacobs, Luedtke, W. Miller, Otto, Parrott, Reilly, Shoemaker, West, and B. Wilson

AN ACT concerning

Vehicle Laws – All-Terrain Vehicles – Access to Farms

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 858)

ADJOURNMENT

At 1:16 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day April 3, 2015, Calendar Day, Friday, April 10, 2015.